

KODIAK/ALEUTIANS SUBSISTENCE REGIONAL ADVISORY

COUNCIL MEETING

COMMUNITY CENTER

KING COVE, ALASKA

OCTOBER 5, 1995

COUNCIL MEMBERS:

MARK OLSEN (CHAIRMAN)
ALFRED B. CRATTY
IVAN LUKIN
RANDY CHRISTENSEN
THOMAS L. EVERITT

* * * *

ROBERT STOVALL, COORDINATOR
BILL KNAUER, SPECIALIST FOR REGULATIONS
ROBERT WILLIS, BIOLOGIST
RACHEL MASON, ANTHROPOLOGIST
GREG SECANIEC, BIOLOGIST

REPORTED BY: SANDRA M. MIEROP, RPR, CRR

PROCEEDINGS
October 5, 1995

MR. OLSEN: I guess we might as well get underway here. We are the people. Good morning.

I'd like to welcome you to our Federal Subsistence Council meeting; and at this time, I guess, we can just go right on to roll call.

Robert, are you going to handle that?

MR. STOVALL: Excuse me?

MR. OLSEN: Mr. Stovall, can you take our roll?

MR. STOVALL: Yes.

Okay. Alfred B. Cratty, Jr.

MR. CRATTY: Here.

MR. STOVALL: Thomas L. Everitt.

MR. EVERITT: Here.

MR. STOVALL: Vincent M. Tutiakoff, Sr.?

MR. OLSEN: I move that he be excused, as I understand his flight connections were not met.

MR. STOVALL: Okay.

MR. OLSEN: That's the best of my understanding.

MR. STOVALL: All right.

Ivan Lukin.

MR. LUKIN: Here.

MR. STOVALL: Gilda Shellikoff.

MR. OLSEN: I would also ask her to be excused, as she did contact us prior to the meeting and said that she would not be able to make it.

MR. STOVALL: Randy Christensen.

MR. CHRISTENSEN: Here.

MR. STOVALL: Mark Olsen.

MR. OLSEN: Here.

MR. STOVALL: That completes the roll call.

MR. OLSEN: Thank you, Robert.

I guess that we pretty much all know each other here, except for Rick here. I'd like to introduce you here to Bill Knauer, specialist for regulations; Robert Willis, the biologist; Rachel Mason, the anthropologist; and -- and Sandi Mierop as our reporter. You probably have picked out who is who.

A SPEAKER: I read them all.

MR. OLSEN: Other than that, I guess that's all we have here representing us at this meeting.

Excuse me. Robert Stovall is over here. He's the acting regional coordinator as Mr. Dirks is out to entertaining his teaching degree.

With that, I have no other introductions; but at this time, Bill, you had mentioned that there was a letter from Mitch?

MR. KNAUER: Yes, I have a letter from Mitch Demientieff that he sent to each of the regional councils that he's asked one of the staff people to read.

"I'd like to welcome you to the fall 1995 Federal Subsistence Regional Advisory council meetings. These fall meetings mark the beginning of a new cycle of decision-making for the next set of annual subsistence regulations. These meetings are symbolic of the role of the regional councils in federal subsistence management.

They are the starting point from which the next year's subsistence

regulations are produced, and they are intended to ensure that subsistence users' needs are well accommodated in subsistence regulations.

"Just as the fall set of regional council meetings is meant to serve as the kickoff of the annual regulatory process, the regional councils themselves are meant to serve as the foundation for subsistence users' involvement in subsistence management.

"The regional councils are the crucial link between subsistence users and the Federal Subsistence Board. The members of the councils all have direct, firsthand experience with subsistence, and they are leaders in their communities. Collectively, they provide the board with unparalleled insight into the needs of subsistence users statewide and, by statute, their recommendations carry a great deal of weight in subsistence decision-making.

"This begins the third full year that the regional councils have been in operation. During the evolution of subsistence management during these three years, we've made great strides in structuring subsistence management to accommodate subsistence users' customary and traditional practices in a manner consistent with maintaining healthy wildlife and fish populations. We could not have made such progress without the involvement of the regional councils.

Without a doubt, such progress has not been without its share of frustration in both the federal and the regional council arenas. However, change is sometimes difficult, particularly when it involves such a complex issue with so many players, and I believe it is to the credit of all involved that the program that we now have has so many new, and often quite substantial, innovations to accommodate subsistence users. For example, largely as a result of regional council initiative and willingness to work cooperatively with federal staff, subsistence users now have available to them designated hunter harvest permitting, community harvest limits and seasons, harvest limits, methods and means that better accommodate customary and traditional practices, to name a few.

"That is not to say that we are content to rest on our laurels. We are still faced with issues to be resolved, and more issues will undoubtedly arise in the future. In fact, some of these issues are on your agenda for this meeting. The Federal Subsistence Management Program is on the leading edge of resource management that is cooperative and responsive, and with the continued high quality of involvement of the regional councils, will continue to be so.

"I wish you the best of luck at this meeting, and I and the other board members look forward to seeing your proposals and recommendations."

MR. OLSEN: Wow. Mitch wrote that?

MR. KNAUER: That's what Mitch sent. .

MR. OLSEN: However, he said it was sent out to regional chairs, I'm not aware of that.

MR. KNAUER: It was a statement that was prepared to be delivered by the staff person for Mitch at each of the council meetings.

MR. OLSEN: I see. Thank you, Bill.

Any questions or anything that presents issue?

I'd like to move on to the -- reviewing the adoption of the agenda. Is there anything on the agenda that is deviated or you'd like to add?

A SPEAKER: Do you have a copy of your agenda back

here?

MR. OLSEN: Yes. There should be.

MR. STOVALL: Mr. Chair, I think I need to make a telephone call to the Izembek National Wildlife Refuge; because I do not see the refuge manager, Greg Seikaniec, here at this moment; and chances are, with the weather, he didn't make it in.

MR. OLSEN: Right. I did notice that as part of the agenda and notice that I did not see a representative of the Izembek.

MR. STOVALL: I will try to give them a call at our first opportunity to check on that.

MR. OLSEN: As you can see, I think there's a few things on the agenda here that is not going to be represented. Do we have not heard from KANA, API?

MR. STOVALL: No.

MR. OLSEN: Who will call the Kodiak National Wildlife Refuge?

MR. STOVALL: I will.

MR. OLSEN: Maritime National Wildlife Refuge?

MR. WILLIS: I'll be doing that, Mark.

MR. OLSEN: I did notice here under the notes here, Federal Subsistence Board of July, 1995 and October, 1995. There's an error in there. This is our October meeting, 1995.

Can you fill me in on that, Robert?

MR. STOVALL: Under No. 1 it should read Federal Subsistence Board Meeting of April, 1995 and July of 1995.

MR. OLSEN: All right. Thank you.

MR. STOVALL: Mr. Chair, the Alaska Department of Fish and Game was not able to send a representative. However, I did speak with them and they said for me to poll any of the council members or the public if they have any questions and that I could give people a call in their assorted offices throughout the state and try to get answers for those questions for tomorrow's meetings or for later on in this meeting.

MR. OLSEN: You think we'll have more if the weather permits?

MR. STOVALL: They weren't able to send anybody to the meeting because of budgetary constraints and because of the lack of issues to address.

MR. OLSEN: Is there any other changes that we would like to see?

Hearing none, I would accept a motion.

MR. STOVALL: Oh, under item No. 5, review of the doctrine of minutes of October 16th and 17th, 1995 should be February 16th and 17th, 1995.

MR. OLSEN: I see that too. I think throughout some of our materials here we'll notice that there's been errors in basic dates.

Are we going to adopt the agenda?

MR. LUKIN: So moved.

MR. OLSEN: Moved. Seconded?

MR. CRATTY: Seconded.

MR. OLSEN: Moved and seconded, the adoption of the agenda as discussed. All in favor?

COUNCIL IN UNISON: Aye.

MR. OLSEN: Those opposed?

Thank you. So moved.

Next, we have review of the adoption of the minutes of February 16th and 17th which was Old Harbor -- no, that was the Anchorage --

DR. MASON: It was Old Harbor.

MR. OLSEN: The meeting we had in Old Harbor in February of this year. Would anybody like to take a moment to read these, go through these? Like them read?

Hearing none of you, I'll take a motion.

MR. CHRISTENSEN: I'll move that we adopt the minutes of the last meeting here, February 16th and 17th, 1995. I move that we adopt those minutes.

MR. OLSEN: Do I hear a second?

MR. CRATTY: Second.

MR. OLSEN: Moved and seconded.

All those in favor?

COUNCIL IN UNISON: Aye.

MR. OLSEN: Those opposed?

This here meeting that was held in Old Harbor was a first for our regional council to try to get a grassroots approach to our council to try to move out into the rural Alaskan communities and make them aware of exactly what our council is and what we're trying to achieve and to try to get the feedback of the needs and the undesirables and things of this nature as we try to move ahead and try to find some solutions to the dilemma that seems to be cased every year as to really what is subsistence and the management of it. We have a good feedback from Old Harbor. In view of the fact there was a --

MR. CHRISTENSEN: I thought we had very good feedback from Old Harbor.

MR. OLSEN: I'm saying to the conditions as to what had happened at that time in Old Harbor, I think the community did get out and raise some of their concerns.

MR. CHRISTENSEN: Mr. Chair, if I may intervene, I was kind of wondering why -- I'm not quite clear on why -- I didn't get the full story on why Gilda or Vincent is not here. You said that Vincent couldn't quite make the flight and the Gilda was kind of vague to me.

MR. OLSEN: To the best of my understanding at this time --

MR. CHRISTENSEN: I'm not sure if this is the right time -- or if this is the right time of the meeting, I'm still not clear on that.

MR. OLSEN: I have no objection to addressing it at this point.

MR. CHRISTENSEN: I know one of the big items of coming down to King Cove was specifically for Gilda and Vincent to help voice the views of the people in this end of the country, and I -- it's -- it really seems quite ironic, just like Robert was saying, that we're down here and both Gilda and Vincent are not here. I was just kind of wondering what's the problem.

MR. OLSEN: I am pretty much dismayed at this also, as they had voiced some concerns for the area.

MR. CHRISTENSEN: Just a little bit ago you said that the -- Vincent has an excused -- he's excused because of weather, and Gilda is excused because of something that I didn't quite catch.

MR. OLSEN: Yes, I did request that and certainly if

there was any opposition from the council --

MR. CHRISTENSEN: There's no opposition from me, of course. I'm just in the dark exactly why they are not here.

MR. OLSEN: If you will -- would you like to address that, Robert?

MR. STOVALL: Mr. Chair, Gilda gave an excuse that she had a college course seminar that could only be -- that was only being taught at a specific time, and that time conflicted with the meeting time. So, she asked to be excused from the meeting. Vincent, to my knowledge, did not make the plane to come to the meeting. Now, I don't understand why he did not make it; but the plane was there and it was flying, so he had an opportunity to make it and did not. And I haven't been able to contact him as to why he was not able to make it.

MR. OLSEN: Thank you. At this point, I guess I only accepted the excused absence unless we hear otherwise --

MR. CHRISTENSEN: Maybe on new business we should formally put them down, if the council believes we should put them down, as excused absences. That would be up to the council. It's just been on my mind is all.

MR. OLSEN: Should we --

MR. CHRISTENSEN: Just put it under new business when it comes to absences.

MR. OLSEN: Our agenda has been adopted.

Does anybody oppose adding that to new business?

Hearing none, I guess we can discuss it --

MR. CHRISTENSEN: It doesn't need to be discussed. We've had absences before, remember --

MR. OLSEN: Absolutely. I want to brush up on that also. I feel Gilda did call in, that's the first step. It's formally put down on paper that they are excused. We do have a policy in place that addresses absenteeism, and it should not be taken lightly. If it was taken lightly, it would be --

MR. CHRISTENSEN: Personally, I enjoy both of them on the council, and I hate to see both of them -- either one of them leave, but it should be --

MR. OLSEN: I feel that should be addressed here someplace because our meeting was scheduled prior to her call. However the council wishes to address that.

A SPEAKER: Mr. Chairman, do they have alternates that can be appointed when the other person doesn't make it?

MR. OLSEN: Under our regulatory system here, the council does have the authority to make a recommendation of removal upon absenteeism. I believe two is the acceptable. And depending on whether it's an excused absence or not, but the council does not have the powers to appoint anybody else. That must come from the Secretary of Interior.

A SPEAKER: You guys are appointed by the Governor more or less?

MR. OLSEN: Secretary of Interior, Bruce Babbett. That's the federal side. There is quite a process to your application as to the appointment. If that addresses --

A SPEAKER: That might be something to consider. In these old villages a lot of times people can't make it. During those times there should be an alternate. It should be pretty easy to fill that position as far as informationwise.

MR. OLSEN: I think that certainly would be a proposal that should be addressed, if you should choose.

A SPEAKER: Pretty much our representatives are gone here. As far as we're considered, we don't have any representative outside of ourselves sitting in the crowd.

MR. CHRISTENSEN: That's right.

A SPEAKER: It's important that they do make it for our area. I can understand if they miss one of your area --

MR. OLSEN: One at a time, please.

Randy. Go ahead, Randy, would you like to address that?

MR. CHRISTENSEN: Well, I was going to say, one of the reasons we did want to come down to King Cove this year was specifically because there was quite a bit of representation on Kodiak Island, and there's quite a bit of area down here. The only representation was just Vincent Tutiakoff and Gilda Shellikoff. Well, in fact, we've thrown around the idea about even getting a couple, three more representatives from this area. And that kind of -- that went back and forth, and what we finally come up with was just to go ahead and at least come down here and have a meeting down here so we can have the voice from the people here, and it's -- I hate to say sad because that's a bad word, but it is kind of sad almost because both Vincent is not here, Gilda is not here, and we have like two people in the audience.

A SPEAKER: I think one of the biggest problems is there's nobody in town right now. Everybody is gone --

MR. CHRISTENSEN: All over Alaska it's all seasonal.

Generally different from down here from where we are up there, but then one of the reasons why our meetings are in the spring and the fall is because it's hopefully that's the time when people are settled down, but that's not happening right now.

MR. OLSEN: I'd like to -- please like to add that our reporter has added that only one of us speak at a time. It's very hard for her to document everything when two voices are going at once. I'd like to please have that considered as we go through these issues.

MR. KNAUER: Thank you, Mr. Chairman. The Federal Subsistence Board is reviewing the recommendations from each of the regional councils related to adequate representation, appropriate numbers, and the issue of alternates. The question of alternates is a very complex one whether you would consider having an alternate for each member or having an alternate -- one or two alternates at large.

The individual members on a council bring particular knowledge from some areas within the region, but they don't represent their community specifically. Each member on a council represents the entire region and must weigh the concerns and issues of the users throughout that region. So, it's not like the community of King Cove does or does not have a person on the council. All of these individuals represent the users of King Cove, whether or not they live here. Some of them may be more knowledgeable about the issues and resources and concerns in King Cove than others, or Kodiak or Old Harbor or whatever; but they do represent the entire region, and that's the case with each of the ten regional councils. But there is an effort during the membership recruitment which occurs annually -- one third of the seats on council do expire each year -- that there be some geographic distribution of the members because of that

special knowledge that they bring from each of those sub areas within a region.

MR. CHRISTENSEN: Mr. Chair --

MR. OLSEN: Thank you, Bill. Just a second. It's been about a year ago, recognizing this issue, the council did request that they look at making another region due to distance within itself that we are so far apart in trying to travel and get back and forth and communicate, made things very difficult. At this point, I think it's still on the table as to whether it's going to get any more attention or what is going to become of that. I do not know at this point. But it has been requested by this council that this area would like to have its representation for many reasons, other than those explained, also due to the different resources available, the difference of how much federal public land is in the area, and the types of usages. So, that has been requested by the council; and to this date, I am not aware of any feedback, report, or otherwise as to where that is, other than tabled.

MR. KNAUER: I can respond to that. Some of the councils did not make a recommendation at their last meeting. They did, however, wish to have it included in their annual report. So, the board put off making a decision on that. That would take a change in your charter and in the charter of any of those others. There are various concerns involved with that. Firstly, in this region, the resources that are used out of the chain are primarily marine mammals and fish. Marine mammals are not under the purview of the Federal Subsistence Program. That's not to say they're not important to the people or used, but they're under the purview of a separate act in total, the Marine Mammal Protection Act. And currently fisheries are not a significant area of management under the Federal Subsistence Program. That could change with the Northwest Arctic Regional Council petition decision or the final adjudication of the Katie John case, which is -- went before the circuit court. There was a decision that was appealed to the -- excuse me, district court. It was appealed to the 5th Circuit Court of Appeals, and then it was remanded back to the circuit court -- or the district court for additional evidence. So, when the fisheries issue is finally -- comes to closure, at that time there may be a very significant reason for a division of the region.

Also, as you're aware, it does cost money to -- for every council member that's involved and for every regional council that's involved. So, that's something the board must weigh also. The chairs of the regional councils are encouraged to take part in the regional council meetings, and upon occasion, there is the necessity for additional council meetings beyond the two that are scheduled. So, all things weighed on issues with the board, whether to increase membership, how to deal with alternates, and the addition of a council or the splitting of a council.

MR. OLSEN: Bill, one thing that I would kind of like to clear the air on a little bit as to some discussion prior, is this issue of navigable waters, the outcome of the Katie John versus State.

MR. KNAUER: Yes, Mr. Chairman. The proposals that you may consider today and so on, in the call for proposals the board has said, if I might just read a couple of sentences: However, in light of the continuation of proceedings in the consolidated Katie John case and a petition to the Secretary of Interior addressing

jurisdiction, no attempt is being made to alter the fish and shellfish portions of the regulations until final guidance has been received regarding the jurisdictional authority of the federal government over navigable waters. There's a little bit more. Then they say: Proposals of changes relating to fish or shellfish and changes to the overall program will not be considered by the board at this time.

So, they are not -- the issue of navigable waters is still an issue. Until such time that a decision is made on the final outcome of that, the board is going to refrain from making any significant changes or accepting any proposals to that.

MR. OLSEN: So, as I gather and follow this along, it had gone to the district court, appealed to the circuit court, and has now been brought back to the district court. And there has been no ruling yet from that district court; is that correct?

MR. KNAUER: That's correct.

MR. OLSEN: Thank you. Does anybody --

MR. CRATTY: I was going to ask, how is it going to affect the subsistence user if it is declared navigable waters?

MR. KNAUER: That's a good question, because frequently the subsistence user is one of the last users in the cycle of the salmon as it proceeds up to spawn.

MR. OLSEN: Last or minor?

MR. KNAUER: Last in time. But under the federal regulations will be first in priority. And certainly the most crucial thing is having adequate escapement to protect the health of the population. That's a mandate under law. That's the primary function is to protect the conservation of healthy populations. Then you provide the priority for the subsistence user. The commercial user is usually the first person in time to harvest the resource either on the open seas or as the salmon proceed up the rivers, but have a lower priority than -- would have a lower priority than the subsistence user. It's very difficult for a biologist and others to, first off, estimate what the run will be to provide the adequate escapement, and to provide an adequate harvest for the subsistence user, especially on the open sea where there are many things that can affect the run. El Nino can affect it. Other species, cycles, highs and lows of food chains, and so on. So, it is going to be a very difficult thing, and we're not quite sure how it's all going to play out.

Currently, on the federal subsistence staff, we do not have the expertise to deal with this. Most of the expertise lies either with the State of Alaska or with the National Marine Fisheries Service.

A SPEAKER: I don't think that navigable waters has anything to do with the subsistence issue. It was the commercial fishery that brought this out. It was a control factor. If they were going to take the navigable over, the State would still issue the State subsistence people. 99 percent of the people get their subsistence either in the fish streams or inside the spawning areas.

Like down here, most of them get them beside the bays or up in the lagoons, after the escapement goal is met, whatever their salmon subsistence permits. As far as the navigable waters go, that issue was more of an intercept commercial issue, as far as I understand. That was the whole reason behind taking over the navigable waters, at least the fishery negotiations, that was part of the whole thing.

They were going to come and take it over, if we couldn't set the intercept fishery goals. That whole thing -- battle started out at the cape fishery out here, this whole thing starts, it was between us and the AYAK boys up there. That's where the whole issue started from, as far as the federal government taking over the navigable waters. At least that's the way I understood it.

MR. OLSEN: I guess we have to ask for them, what is the definition of navigable waters?

MR. CHRISTENSEN: I was going to mention that. Just to address what he's talking about, I understand what he's talking about, but you have to understand, what we're -- as far as the navigable waters, the issue is in the exact streams that you're talking about. The streams that the bays and even all the way up into as far as -- depends on where you can take a skiff or canoe or kayak or anything like that. That's the issue there. What is the navigable, and that's the issue, not outside the bays or out in the open sea. Isn't that correct?

MR. KNAUER: Mr. Chairman, it's not specifically what is navigable, because that's a separate process, but more or less who would have jurisdiction. In the court case, the plaintiffs asked that the federal government have jurisdiction for subsistence in navigable and marine waters, because they said that fish are an important part of the subsistence lifestyle, very important part, we know. And that in the Alaska National Interest Lands Conservation Act, Congress mentions fish, I believe, something like 16 times. They allege that they meant fish and wildlife. However, under the State, the State is managing fish and the navigable waters, and the plaintiffs in the court case said that Congress was saying that the federal government should be providing the subsistence priority for fish. That's what the case is all about. Who does it, whether it's the State that has management or the federal government. And just exactly what area would be entailed, whether it be navigable waters within the boundary of a refuge or park. Whether it would be all navigable waters in the state. Whether it be marine waters out to the three-mile limit, which is what the State manages. That's the whole issue. That's where the courts are right now, trying to decide just exactly who and where. And as you can tell, all of you are involved in fishing somehow and are very much aware of the situation.

It is a very complex issue, both jurisdiction and the biology. Very difficult to tell whether you're going to have a good run, whether the fish are going to be where you expect them. Heck, if we knew all that, we can say, okay, they'll be here this year, it's going to be a good year. You can plan to be there. You wouldn't hire too many people or have too many boats and be very efficient. We can't do that.

MR. CHRISTENSEN: That's one of the complex things about it. A lot of us are sitting on the fence. Most of us -- we're not only commercial fishermen, we're also sports fishermen and also subsistence users. It's hard to -- it's hard to --

MR. OLSEN: -- change your hat.

MR. CHRISTENSEN: It's hard to change your hat, yeah.

You want to fight for one thing, yet you want to fight for something else because that's your livelihood there too. You're also -- as the season changes, you know, you change.

MR. OLSEN: I think to address that would be we're trying to find a common balance between resource and economics, if

you will. That seems to be the issue at bay.

MR. CHRISTENSEN: I think almost every one of us here, we work every aspect of the resource.

Another -- if I may, Mr. Chair, another thing I wanted to mention too is going back a little bit, a few minutes earlier, I noticed that there's not -- there's not that much of an audience here. We've got like you two here, and I haven't had the pleasure of meeting you, but one thing I wanted to mention, though, is that for two years when we were up in Anchorage we lost two people representing four different villages on Kodiak Island. We wound up going down to Old Harbor, and when we went down to Old Harbor, we had a lot of input about what's going on here and what we're trying to do or what we're representing. And what happened is that now we have two more seats filled here, and it was just like that. And that's one of the reasons why we did come down here to King Cove so that we can get representation. And although I enjoy having both Gilda and Vincent on the council, it is nice to be able to be down here and get some input even how little it might be. I think it would help for the general -- you know, the general outcome of --

A SPEAKER: I'm not sure either one of them can represent King Cove or Sand Point.

MR. OLSEN: Excuse me --

MR. CHRISTENSEN: Can I finish?

MR. OLSEN: I'd like to put some verbiage in here. As Bill had identified here before, we are not representing any one specific village or otherwise. We are representing a village -- I mean, a region. We are here to try to hear your concerns from a grassroots type that we are trying to develop some type of management regulation system on. We are here to try to address your concerns and hear your concerns so that we may be able to address them and come to some kind of an equal resolution. So, I just wanted to make that point clear. We are not representing, as you say, any specific village. We are a regional council, but we are here to get the grassroots concerns from your --

MR. CHRISTENSEN: Mr. Chairman, if I may finish, just one last thing I wanted to mention is that, like I say, both Vincent -- Vincent is doing a great job for the area that -- I'm not as familiar from where he's from no more than he is more familiar from where I'm from, and the same thing with Gilda. But the reason why we decided to come to King Cove and we plan to go to different areas, is so that we can try and garner more -- a lot more information and more interest from people like you, and there's -- you're -- in the region that you're in, you're more than able to go and fill out an application form to be on the next seat -- like you say, you say Vincent can't do anything for you or Gilda can't do anything for you --

A SPEAKER: I'd like to make a correction. I'm not saying they're bad representatives. It's just the area that Vincent lives in is the Alaska area. We're on the bay area.

MR. CHRISTENSEN: These are some of the things that we've been trying to work out.

A SPEAKER: Don't get me wrong. They're probably great representatives for where they're at, and I don't want to make a point that I'm saying they're bad representatives, that's not the point. The point is, I don't know that they can represent us in this area, where we're located physically. They're 200 miles away.

MR. CHRISTENSEN: We've talked extensively about getting more representation from this area, but I guess it's just budgetary problems that's kept us from getting it. We've tried to get more people on the board. We talked to Moses Dirks. We've tried. But, anyway, what I'm trying to say, the gist of what I'm trying to say is that since we've gone to Old Harbor, we just gone from Anchorage down to Old Harbor. For two years, we were without two seats on the council and just since that Old Harbor trek, we've got Cratty on board and also Ivan. What I'm trying to say is that helped immensely. Now that we're down here in King Cove, hopefully, we're hoping that would garner more interest so that we can get more people to be interested, because this is going to affect us all.

MR. OLSEN: These terms -- if you will, we have new terms every year. They are staggered terms, and at any given time we are absolutely open to any new applications within the region. Hopefully getting more participation from more distinct areas. Unfortunately, it is not within our control. I hope that someday we can make a recommendation so that we have an equal representation throughout the region.

A SPEAKER: I know both of the people real well, and they're both good people. They do a good job representing. It's just that Gilda more so than Vincent would probably understand a little more here than Vincent would. I don't know that Vincent would understand here --

MR. CHRISTENSEN: Aside from who knows what from where, the point I was trying to get across is that we're trying to get out to the people, all the people, because we're all working for each other. We're all working -- this is a huge region that we're working for. I guess the point I was trying to say is that I'm just glad to be down here so we can talk to people like you so that, you know, next time or next term, maybe you can put in an application and --

MR. OLSEN: Ivan --

MR. LUKIN: Let's think of some of the concerns. I could understand where he's coming from. These meetings are, you know, today and tomorrow, and everything is going to be at a standstill until the next time it happens here, which who knows when; but after listening to you on that issue, maybe addresses and names need to be left in communities like this, and not only here, but all over the state, leave the names and proper people to contact when we each in the community think of something that may affect us in one way or the other with subsistence; and until the proper people know about some of these different things that we're interested in doing or seeing changes happen, it will help immensely to know what each community wants.

MR. CHRISTENSEN: Mr. Chair --

MR. OLSEN: One second. As to addressing that, it certainly is our reason for being here. We're trying to get out to the public, what are your concerns, certainly as we all have our work chores, what they may be, that everybody out there does not know the process. We are here to hear, address your concerns, make evaluations, and try to process these to become a regulation as to the needs. That in a basic nutshell is what we are all about. And as these councils have been so new, this is only going into our third year, that we are hopefully trying to gain a little credibility that we might be able to get some regulation that does protect our

subsistence lifestyles.

MR. CHRISTENSEN: Mr. Chair, I'd also like to mention, on Ivan's -- on what you were saying. You were saying that from one meeting to the next that nothing is happening. That's not true.

MR. LUKIN: I didn't kind of put it that way --

MR. OLSEN: Excuse me, whoa. One at a time. I think that this is my job that I've asked that only one person talk at a time. I think that needs to be really respected as it's going to be put down. So, please, if you will, address one at a time.

MR. CHRISTENSEN: I ask the Chair -- I was just going to mention on what Ivan is talking about from one meeting to the next and you just go to the meeting and nothing happens. That's not true, because I feel that we've made one great hurdle and that's the designated hunter system. It doesn't really affect the people down here, but for Unit 8 on Kodiak hunting, designated hunter, that could be done down here too. I think that come quite a bit directly just out of this council, was the designated hunter system for Unit 8. That was also because of -- we had help with the other regions that were also going for the same thing, but that's -- I think that's one great plus that came out of this council; and I just wanted to mention that what Ivan was saying from one meeting to the next that nothing was happening. I don't think that. It wasn't nothing was happening. We are doing something.

MR. LUKIN: You misunderstood. What I meant was the fact that when these meetings -- we leave King Cove here, and using Port Lions as an example, I remember, Robert, at least two years ago, we go back to our daily routine of what we do for a living or whatever, that's what I was voicing my views at is the fact that I took federal subsistence and put it on the shelf until the next meeting or whatever. That's where I was coming from.

MR. OLSEN: Maybe I've got a question that brings a question in over this discussion here. Maybe, Bill, I guess you might be -- I don't know, but here, as we have went through the hoops to get what was known as the designated hunter, now, this designated hunter, does that have to go into a special regulation to go as far as other species? Is this total designated hunter within our full region or within a game management unit? Because we represent the whole region.

MR. KNAUER: Right now, designated hunter exists for deer in Unit 8. It exists for moose in Unit 5. It exists for deer in Units 1 through 5 or 1 through 4, I believe.

DR. MASON: There's no deer in 5.

MR. KNAUER: For deer in southeast. That's currently the only species and area where the designated hunter system works or is currently in effect.

MR. CHRISTENSEN: Excuse me --

MR. KNAUER: It was accepted in that regard for two reasons: That's where the proposals were; and, secondly, it was where the board believed it could be implemented without adversely impacting the species, the populations. If it works effectively in those areas, I'm sure the board would not be adverse to seeing proposals for other areas and other species. But it would have to be a situation where, you know, there are -- a proposal would come in, and that is certainly something that a council or an individual could do is initiate a proposal for another species or another area.

MR. OLSEN: I guess where it caught my attention is

that we as a council represent the Kodiak Aleutian region, yet the specifics are only dealing with a game management unit as defined and accepted by the State. So, that brings me a little bit more confusion as to why does it bring any restriction if we as a council are representing a full area, other than the fact that they're nonexistent in some area. So, if that is the case of nonexistent, will that be no reason to deny the same right, if you will.

MR. KNAUER: Right. If it were appropriate, it might be involved in caribou in another area or moose in another area or sheep or whatever. Your region may encompass only one management unit. It may encompass many. It depends on the region. So, you're representing the users of the entire region, but there may be resources that are either confined to more units or parts of units or resources that may go throughout the region and encompass many units.

There may be many regulations that are specific to one unit and not another. Just because there are different populations you're dealing with and because of the size of the areas you're dealing with.

MR. OLSEN: Robert.

MR. STOVALL: Mr. Chair, some of these issues will be brought up further on in the agenda. I was thinking that we might want to see if there's anymore floor comments from the public. If not, we should probably go ahead and proceed through our agenda and keep on track.

MR. OLSEN: Certainly, I did not mean we go off. We have always left it flexible in here, as we might be able to address them while we are in the frame of mind of the subject.

Did you have a question?

A SPEAKER: That's the first for me as far as the designated hunters. Is that like a guide system?

MR. OLSEN: No. That allows one qualified hunter to go and hunt for another qualified user. In other words, at the genesis the State had it, if you're disabled or a certain age, our traditional uses were that the men did the hunting, women processed.

But in that same effect it would deny others that weren't disabled or weren't a certain age from helping another as our traditional use is shared.

A SPEAKER: Mr. Chairman, we tried to get that last year, but the fish and wildlife people, we've had them sign a statement that they couldn't get out and that we would like to be able to get their limit for them. We've done that, and we was turned down from that last year. We tried doing that in Cold Bay a couple of times, where they had the licenses.

MR. CHRISTENSEN: This is the place like now where you get proposals.

A SPEAKER: We tried it on ducks last year. We were unable to get any satisfaction.

MR. CHRISTENSEN: We were successful.

MR. OLSEN: Was that proposal into --

A SPEAKER: We went up and talked to the Fish and Wildlife Service in Cold Bay last year.

MR. WILLIS: Federal Subsistence Board doesn't handle migratory birds, just like they don't handle marine mammals. That's our migratory branch and law enforcement branches that are responsible for migratory birds.

MR. OLSEN: Would it be fair to say that this proposal would be taken by National Marine Fisheries or is that an option?

MR. WILLIS: There is no formal proposal process to change those regulations like there is for the subsistence regulations. Obviously, you've also proposed this to the migratory bird people and been rejected, if I understood you correct. So, that would be your only avenue that I know of.

A SPEAKER: It's similar to this designated hunters deal, it pretty much comes under the same deal, just different people. Okay. That's all.

MR. EVERITT: Just for our audience's sake, this board only, if you want to, say, can make recommendations on areas that are federal lands, you'll see by the map up there in your area, the area that's federal lands and everything else we have no jurisdiction over. And I know that that's something that we should keep in mind that it's those things that take place on federal lands that this board can be concerned about. We have to keep our topics to that.

A SPEAKER: That was federal land I was talking about.

MR. OLSEN: Just one comment for the record. It is a council, not a board.

MR. EVERITT: Yeah.

A SPEAKER: I'd like to know where we are on our agenda here.

MR. OLSEN: Under 5, on the open forum, public comments. We had review and adoption of minutes. I find us still under 5A.

MR. STOVALL: That's where it appears to be right now.

MR. EVERITT: Mark?

MR. OLSEN: Yes, Tom.

MR. EVERITT: Later on in the afternoon, I'd like to open this back up in case more people come in, that we go back to No. 5 and give the audience another opportunity if we had some visitors this afternoon and ask them specifically for public comment no matter where we are.

MR. OLSEN: Yes, I certainly would entertain and respect the input from the people by all means.

MR. CRATTY: Yes, I was wondering, why can't you deal with like what he was talking about, as a subsistence issue? I mean, that's what we're here for.

MR. OLSEN: Bill would probably be able to address that better than I.

MR. KNAUER: Thank you, Mr. Chairman. ANILCA specifically indicates that things that deal with the act, Endangered Species Act, are not within the jurisdiction of this program.

MR. OLSEN: At the present. I hope someday we can move forward to address the full subsistence issue.

MR. KNAUER: It doesn't say that they are full subsistence, nor important or used by the people. It just says that they will not be under the jurisdiction administered under this program. That means that marine mammals, anything dealing with endangered species, and for the most part, fish, currently, are not dealt with by this program, these councils, and the Federal Subsistence Board.

MR. OLSEN: Then would the National Marine Fisheries have a subsistence regulation within it or is that not even a part of the picture?

MR. KNAUER: I don't know.

MR. OLSEN: While we're talking about migratory birds,

what does something like a seagull do? They're not migratory.

MR. KNAUER: They're considered migratory birds. The only things that aren't migratory birds, ptarmigan, grouse, in the Lower 48, quail, turkey, those are considered not migratory birds.

MR. CRATTY: Going back to the seagulls, that's a pretty big issue. We eat seagull eggs. We'd like to have it noticed as a subsistence issue.

MR. KNAUER: There is currently a group in migratory bird management that is working with Canada to revise the Migratory Bird Treaty Act. It's called a change in the protocol; and there has been considerable discussion and recognition that some of these things have been customary -- the harvest of certain species during the spring, the taking of eggs of certain species, and there is currently an effort to amend the treaty to provide for some of these.

That's a long, slow process because it involves other countries and the amending of a treaty; and after it's amended, acceptance by each country through their particular process.

MR. OLSEN: Okay. Well, I guess with that, we look at the agenda. We are covering a lot of things that are on the agenda through our general discussion. Hopefully we might be able to give some answers to some questions here.

At this time, 5A, public comments on the Federal Subsistence Program. As we get strayed away, I'd like to ask, is there any questions as to the Federal Subsistence Program and its operation or otherwise?

Hearing none, I guess we should then move on to No. 6, which is the nomination and election of officers; and at this time I'd like to turn this over to Mr. Stovall.

MR. STOVALL: Thank you, Mr. Chairman. I'd like to go ahead and open the nominations for the election of officers for the Kodiak Aleutians Federal Subsistence Council. I'd like to open nominations for the Chair first.

MR. EVERITT: Question: Does the person have to be present, like Vincent?

MR. KNAUER: You may nominate and elect any person who is currently an appointed member. That means any of you five or Gilda or Vincent. All seven of you are duly appointed members of the regional council.

MR. CHRISTENSEN: Mr. Chair, I'd like to go back to the same question I had earlier. Are we certain that both Vincent and Gilda are -- they have excused absences?

MR. OLSEN: That, at this time, is not an issue. They are appointed to the council until the Secretary of Interior tells us otherwise. They are a part of this council.

MR. CHRISTENSEN: Okay. Thank you.

MR. STOVALL: Any nominations for chairperson?

MR. EVERITT: Vincent, I nominate Vincent.

MR. STOVALL: Okay. Any other nominations for chairperson?

MR. CRATTY: I nominate Mark.

MR. STOVALL: Any other nominations for chairperson?

Hearing none, I close the nominations and we'll proceed with a ballot election, and I'll need your ballots and pass them to all the members and vote for who you would like to be the chairperson.

MR. CRATTY: Vincent and Gilda vote too when they come

back in?

MR. OLSEN: I believe the voting is only pertaining to those present.

MR. KNAUER: You're voting right now on the -- who you would like. Just write the name and fold it over.

MR. STOVALL: Yes.

(Vote taken.)

MR. STOVALL: Call back to order. I'd like to announce the ballot for nominations for the chairperson of the Kodiak Aleutians Advisory Council, and the chairperson is Mark Olsen.

And at this time, I'd like to turn the nomination back over to the new chairperson, Mark, to continue with the election of other officers of vice chairperson and secretary.

MR. OLSEN: Thank you, Mr. Stovall, and thank you for having faith, I guess, for lack of other words.

At this time I'd like to open the floor for nominations for vice chairperson.

MR. CHRISTENSEN: I'd like to nominate Vincent for vice chair.

MR. OLSEN: I'd like to nominate Alfred Cratty. Move for nominations to be closed?

MR. EVERITT: So move.

MR. OLSEN: Moved. And seconded?

MR. LUKIN: Seconded.

MR. OLSEN: Ballots, please.

What firm are you with, Bill, accountant?

MR. KNAUER: Accountant.

MR. STOVALL: Vincent had one vote, and Al had four votes.

MR. OLSEN: I believe that there is no problems I could find.

MR. CHRISTENSEN: Al Cratty is vice chair.

MR. OLSEN: Next here, we need to -- I'd like to open the floor for nominations for secretary.

MR. EVERITT: I nominate Randy.

MR. CHRISTENSEN: I decline. I'll nominate Gilda. Retain her secretary.

MR. OLSEN: Any other nominations.

MR. EVERITT: Move to close the nominations?

MR. OLSEN: Nomination has been moved to close.

MR. OLSEN: I believe I've never been --

MR. EVERITT: Can I call for a verbal vote?

MR. KNAUER: What you can do is ask for a motion to accept by unanimous vote.

MR. OLSEN: Asking you --

MR. EVERITT: I ask for unanimous consent.

MR. OLSEN: I believe that's the only nomination we have. There is no alternative but to be unanimous. So, we have Gilda retained.

All right. At this time here, I'd like to ask for a ten-minute recess.

A SPEAKER: Can I say something before you close down here? I've got to get out of here.

MR. OLSEN: Certainly.

A SPEAKER: Looking at your agenda here, I see you've got reports of a lot of areas that's not pertaining to our area. It seems to me if you're working on an area that you would do just strictly our area. You know what I'm saying?

I don't know if there would be a whole lot of interest in the Kodiak area. I don't see where that pertains to this local No. 9 or whatever unit we're in here. You know what I'm saying? I don't think that a lot of people are going to sit here and talk about up north. If you're down here representing this area at the time, it seems to me you would talk strictly of this area. I think you'd meet my goal a lot faster. Now we don't have anybody from Cold Bay. Are you going to represent them?

MR. CHRISTENSEN: Mr. Chair.

A SPEAKER: We don't have anybody that represents us from the fishery department that I can see. They're not here.

MR. CHRISTENSEN: Mr. Chair --

MR. OLSEN: That seems to me is a real valid question.

I certainly appreciate it. I don't know what other refuges we have here. I'm not all that familiar. This council is only for federal public lands, which I don't know if refuges are the only public lands.

MR. KNAUER: Within this region, there are only national wildlife refuges. There are no park -- not park service lands. There are no U.S. Forest Service lands, and there are no Bureau of Land Management lands. Only refuges. It is customary for the Alaska Department of Fish and Game to send representatives to these meetings. They have attended your council meetings in the past.

They did, however, contact Robert Stovall and indicated that this year, because of budgetary and possibly scheduling constraints, they were unable to send someone, but they usually do have representatives at the meetings and generally for wildlife -- division of wildlife conservation, generally for subsistence, and generally some fisheries folks. So, they are a strong participant in the council process.

DR. MASON: If I may respond also to your comments, the council is meeting here especially to hear comments from -- about this region from the public here, but they still have to consider issues that deal with the whole area that they cover. That's why they included agencies that don't seem to have anything to do with King Cove.

A SPEAKER: I see.

MR. OLSEN: Thank you, Rachel. Certainly, it will be -- we heard that, and hopefully we'll be able to look at this as we go into different areas. Certainly, but also we have a process too that we try to stick with and, yes, I will agree that normally we do have State representatives on the other sides of the ownership or the management, if you will. This is the first meeting that they have been absent from, I believe, probably mostly budgetary reasons. Whether that's a reason -- I understand that's an excuse, not a reason.

A SPEAKER: You've got -- your Izembek National Wildlife Refuge entails Cold Bay area, and you've got the Unimak area that's a refuge area too. Outside of that, the rest is all village corporation and state property. So, like King Cove, you've got approximately 120,000 acres. And you've got 70 areas, and then you've got -- Atka and Sinak Corporation all own that. It's pretty much village owned in this area, outside of the refuge. You've got Sand

Point, you've got St. Paul, St. George, Atka, Sinak, Shemya, Belkaska, False Pass, Nelson Lagoon, and King Cove that own this whole peninsula. The land selections like St. George, St. Paul are in this area. Sinak Corporation owns land in this area. Outside of the village corporations in the area, it's federal government. There's not a whole lot of State land; but the two major lands in the area would be the village corporations and the national refuge. So, there's the conflict there. There's a whole battle.

MR. OLSEN: Certainly, I think what might help you here, I'm not aware of exactly which refuge is which on this area, but I think the -- as far as the agenda, we have what is known as the NARC petition which, in effect, joins the government to manage areas on nonfederal lands. That is a petition that has just come within the last year. Hopefully, we have discussed from co-management to this NARC petition, so, until something comes of that, I just wanted to let you know it has been addressed and we'll see what comes of it.

What other refuges are there out here that's not addressed?

MR. STOVALL: Mr. Chair, Alaska Maritime Refuge has some of the assorted islands off of your coastline, and I think Unimak has a large portion of that island. I think Atka has half. The island is the Alaska Maritime Refuge, if I remember correctly. The map there, all the areas in pink on these maps are Fish and Wildlife Service lands. Granted, they're not very extensive, probably the largest single chunk of land, and the closest land to you, and anything that this council does will relate directly to those particular lands, and King Cove is not alone in that most all the villages are surrounded by their own native corporation's lands and, therefore, are falling under the State's fish and game laws and regulations, which we won't address at these meetings.

A SPEAKER: Mr. Chairman, if it's all right with you, I'd like to say my piece, and I've got to leave. It's going to be off your agenda a little bit here. There isn't a whole lot of people representing King Cove right now. I'd like to say a little bit. Our previous concern, like I said, was the ducks, which you guys don't deal with that. It might be something you may want to check with, where people can get subsistence, they're unable to get their share of their birds which their lives depend on like down here. Like everywhere else, lived off the land. It would be the caribou. We haven't had a season. There used to be a heck of a lot of caribou. It declined, cleaned out from 8,000 a few years ago, right down to 1600 approximately. We don't have a whole lot of caribou left down here. Still there's a lot of people here, that was their main diet, outside of the salmon and that kind of stuff. I think the only thing we can really speak on behalf of, you may have a little bit control of, would be the caribou. The moose, we've got no caribou or moose.

It's on the other side of the Moller, most people can't afford to get up and get it. Even down here it's quite expensive to get down here and get it. That would be our biggest concern would be the caribou. The salmon, as far as the salmon goes, we've been pretty much taking care of that, we've got our subsistence through the State fisheries there in Cold Bay. So, he issues the permit for catching our salmon after the closures for subsistence fishery for anybody that wanted it. So, I hadn't seen any in the past years. I've been getting it for the last ten years, subsistence fishery permits. I think everybody else is. I don't see there's a problem in the

fishery part. Maybe if you guys take over the navigable waters, subsistence will take precedence anyway.

MR. CHRISTENSEN: Mr. Chair --

A SPEAKER: Anyhow, that's about the only thing I can see is really hurts this place is the game and the birds. Then you talked about seagull eggs. That's been a good diet. We still go out and sneak a few outside without them knowing it. That's been our ways, you know. I don't know if you would change it. We would like to get that seagulling egg down. That's all we're used to. We used to bury them and make our -- make them to last. We used to eat seagull eggs all year long.

Another thing would be the seal. We get out and get our seal all the time, and we do get our sea otters. Marvin Mack does the tagging for that here. And if there is an opening here -- I know he couldn't make it here this morning -- he is pretty up on the subsistence stuff here. He does give the refuge boys an earful. He would be a guy I recommend for sitting on this board if there is a chance a spot comes open there. If there's available space.

MR. OLSEN: Who is that?

A SPEAKER: Marvin Mack. He does a lot of stuff. That's about the only thing I can see outside the walrus. It would be nice if we could get walrus. We can't get walrus. I notice up north, they're allowed one. They get to hunt off of some of the other islands there. There's about ten off of Walrus Island.

A SPEAKER: According to them, that's the same. That's why I was concerned --

A SPEAKER: They're the same walrus that migrates. I would appreciate it if the board could maybe check on that, where we're able to get out and harvest the walrus.

A SPEAKER: Yeah.

MR. STOVALL: Where was that?

A SPEAKER: They've got walruses. They get them on Adak occasionally. Two areas there. They're the same walrus that migrate up and down from Round Island. That's the island they just opened up ten walrus to the natives up north there.

A SPEAKER: Yes.

A SPEAKER: That's something that we would like to possibly get into. We do fish up there around Port Moller.

MR. OLSEN: One question here, as per, let's say, the marine mammals here. I know we have different commissions, such as your Sea Otter Commission, previous Walrus Commission, how would that be an avenue to address some of these since they are not within our jurisdiction?

MR. KNAUER: That would be the avenue that the folks would go to would be to go to the Walrus Commission.

A SPEAKER: That depends though. I don't know that's all true what you're saying there. This board here has got some substantial power, I think, if they took it under the subsistence for the meat portion, working with them, the commission. I think Claude is on that --

A SPEAKER: Sea otter.

A SPEAKER: -- Sea Otter Commission.

MR. OLSEN: My intent wasn't to make you think I was passing the buck. That is probably the avenues we would have open to us possibly, but these situations here, I think, would be a lot stronger with some type of proposals which should come from the

communities directly concerned with them unless --

MR. KNAUER: A proposal from the public on walrus or migratory birds or any of the marine mammals to this group would just be referred over to the appropriate entity. This group and the Federal Subsistence Board has no authority in those areas. So, they would just be forwarded.

A SPEAKER: I know they have different boards. As I say, that's just education here.

MR. OLSEN: I certainly feel, just because it is status quo doesn't mean it cannot be changed. However, it is highly unlikely they would. We never get anywhere unless we go after it, if you will.

A SPEAKER: Maybe the other way is the way to go. Those are concerns that I have here, and I know a lot of the people do have here. So I think I said my piece. I've got to get going.

MR. OLSEN: By no means am I saying these different issues, whether they're in our jurisdiction or not, we still want to hear your concerns so that as they come along, we have some support for these issues. Without that -- without support, we are basically snowballed, if you will.

A SPEAKER: You don't have anybody here that represents National Marine Fisheries here?

MR. OLSEN: No.

A SPEAKER: That's another subsistence deal that needs to be contended with. There's a lot of people that go out for shellfish. I know before we have to get a permit card for that. I understand now we don't. That's another subsistence that we have to deal with is the shellfish part of it. You don't do it, and neither -- the national fisheries don't do it. That might be something you might consider is to get National Marine Fishery in a little more on this here with what you do here. A lot of people go out here and do catch the shellfish and crab that is under the different organizations. Still subsistence.

MR. OLSEN: I think that is still under State, the fisheries.

A SPEAKER: Federal. State has nothing to do. We had to go through the National Marine Fisheries for that and they don't issue it now. They just allow it. I think they just allow six per day.

MR. OLSEN: The subsistence shellfish permit, we used to take from the State.

A SPEAKER: No, we had to get that through the --

MR. OLSEN: In Kodiak we had to obtain a shellfish permit through the State. It's a good question. If clams are on federal public lands, then who has the managing control on that?

MR. KNAUER: It would depend again on what the jurisdictional, what the outcome of various jurisdictional issues are. Normally, clams would be below high tide, and they would be under State jurisdiction. But, you know, things can change.

MR. OLSEN: Right.

Al.

MR. CRATTY: I was going to ask Bill about the navigable waters.

MR. OLSEN: Maybe we have hard copies on that.

MR. KNAUER: It all depends on the jurisdiction. Around Kodiak, this council found out that there was one area where

the Federal Subsistence Board did have jurisdiction there at Marmot Bay. And you're talking about some king crab issues there. But over most of the State, it's under state jurisdiction.

A SPEAKER: We couldn't get the permit through the State. We had to go through the marine fisheries to get that. We had to get the crab subsistence permit. Then they issued us a card for that prior to last year; and after last year, they just -- they wouldn't issue, they just said you're allowed six per day per person.

MR. OLSEN: That's quite interesting to me, because throughout my whole life through the salmon subsistence, we've always had a State permit; and we went, for the shellfish permit, to the State to obtain it. This is the first time I've ever --

A SPEAKER: The State did control the clams. They do control the clams. As far as the crab and stuff, they don't control that. I know the states -- because they do have commercial fisheries of the clams here and they do have it in the various seas for clams.

That's a State deal when you're talking commercial under clam. The crab comes under different regulations. That's under federal. You need a federal permit to get the subsistence on the crab.

MR. KNAUER: It probably depends on where they're being taken. If they were being taken beyond three miles.

A SPEAKER: This is within three miles, just right out here. I know we had to get a permit from the --

MR. OLSEN: I don't know if I've been operating illegal or not. I never heard of National fishery --

A SPEAKER: We did get the card for the National Marine Fishery for taking subsistence crab; but as of last year, to my knowledge, they wouldn't issue any more. They just said, "You're allowed to go get it." They said we're allowed six per person per day.

MR. OLSEN: Under State lands we had to have a sport license. Here we are now talking three different papers for the same --

A SPEAKER: It's a subsistence deal, not under sport fishery. You need it for halibut, you need sport fish for halibut, there you're allowed two hooks and you can't long-line them. Subsistence part of that is different again. Anyhow, I thought I'd throw that stuff in. I've got to get running. Thanks for listening here.

MR. OLSEN: I certainly appreciate you being here. I certainly hope you encourage people such as Marvin to give us some feedback and help us along with this.

A SPEAKER: He's pretty good at that stuff. Keeps the wildlife boys on their toes anyway. I'll see you later, Al. You guys get the evening off?

MR. OLSEN: Oh, yes.

We will move on into our --

MR. EVERITT: Ten-minute break.

(Short break.)

MR. OLSEN: I'm calling this meeting back to order, please.

I know that we left off coming up under old business which comes into the reports. We are aware that we have -- how do you --

MR. SEIKANIEC: My name is Seikaniec, just like mechanic, only with an S.

MR. OLSEN: We did go through this list here earlier to try to see who we have to give reports. I know the Izembek Refuge and the caribou herd has been a topic for quite some time with the council. We do appreciate that you had a chance to make it.

How do we want to start this?

MR. STOVALL: Might as well just go down the line and start with 1 and 2 and 3, 4.

MR. OLSEN: I'd like to go back here and start with the different meetings. As to the April and July meeting, which should be -- I don't know if I have my minutes from that. You'll have to excuse me for a minute. I don't have my minutes in front of me from these two meetings, as to which was which. I know that -- I believe the April meeting was in Anchorage at that time --

MR. STOVALL: For proposals.

MR. OLSEN: We had a request for reconsideration on the king crab issue as to the -- I was giving the report to the board as there was a request for reconsideration over having the size limit of the crab, king crab taken in the federal waters in Kodiak; and at that time, the board did accept the proposed -- council proposal as to the -- declined the seven-inch State regulation for the harvest of the king crab. It was previously discussed amongst the council that there was a real need that subsistence users use a seven-inch carapace for subsistence. In other words, we would have to follow the State regulation amendment for subsistence for the seven-inch crab issue. Also on the same subject was the means and methods of harvest as we had addressed in the previous years that a lot of people were using commercial gear and destroying crab that we felt for subsistence users that would be, No. 1, not necessary to have such big pots with such minimum takings, and also bigger pots had a tendency to capture crabs that were not utilized. In other words, they were handling a crab that could have an effect on recovery rate of the juvenile crabs. So, therefore, we came up with a pot size limit. I think it was 75 cubic feet. This would then take away the advantage of outside commercial boats coming in and using their heavier king crab pots to utilize a small resource and damage further recovery rates of the crab. That was accepted and ruled on. I believe that was the main topic as to my part in that meeting. To the best of my recollection, the July meeting was mainly the Kenai Peninsula moose proposal for subsistence. The proposals were, I felt, a win situation with a few restrictions of the antlerless moose and the moose in general as a subsistence animal which it was accepted by the board not in a proposal as a whole, but there's still more research going on as to hopefully what the allowable subsistence taking will be, if you will. At this time, they also granted the subsistence users of these -- I don't know which management units or --

MR. KNAUER: 15.

MR. OLSEN: 15, yes, that it was addressed that the subsistence users did get a ten-day head start on the commercial harvest of the moose. This was to hopefully ensure that the subsistence users would get their moose before the sportsmen came in and harvested all the moose that would have normally been available for the subsistence user as one complaint was the sports hunters coming in first always had a tendency to make the subsistence user

move farther out of the traditional grounds to get their moose. So, basically, in a nutshell that's what these meetings were about and the results.

I'm sorry I don't have my minutes in front of me to address them more closely. I will certainly -- if there's any question, I will go back and research and give the verbatim transpiring of these proposals. I don't know if I confused everybody or if there's any questions.

Okay. If there is none, I guess we'll look at the Maritime National Wildlife Refuge. Was that Mr. Willis?

MR. WILLIS: Right. Dan Boone, who is the biologist assigned to this area, Alaska Maritime, couldn't make the meeting either, so I talked to him about the items that came up at the last meetings that they had and got some information. The item of primary interest, as you'll recall, was the Adak caribou eradication with the Navy base closing down and there would no longer be enough people there to remove enough animals through hunting to keep them from overpopulating and overgrazing the range and eventually starving to death. The service prepared a plan to remove those caribou, and the plan was sent to Washington, given further review, and there was a request from Senator Stevens of another alternative. He requested some of the items in the original plan and we got a letter from him last fall which was objecting to the removal onto the preferred land.

The Fish and Wildlife Service then looked at some additional options and sent a letter back to Senator Stevens on June 16th of this year which presented a new alternative. I'll read you briefly from the letter that was sent back rather than summarizing. The new alternative would be to, No. 1, capture up to 200 calves and yearling caribou for translocation to suitable sites such as Kenai Peninsula and possibly Deer and Unga Islands off the Alaska Peninsula.

Harvest and salvage the remainder of the herd, except for a free nucleus of 100 or fewer caribou which would remain free ranging on Adak Island until the future use of Adak is clearer.

Salvaged meat will be distributed to charities in Southcentral Alaska and possibly to the Atka villages. The Navy will fund capture and salvage activities and the Service will provide technical support, and it will all be performed in cooperation with the Alaska Department of Fish and Game as the primary managing authority for managing resident wildlife species in the State.

There was also consideration given to whether or not the contractor work with the Aleutians East Borough or the Aleut Regional Corporation or some combination of those groups, the Fish and Wildlife Service and the Navy. The main reason for leaving a nucleus on the island as opposed to removing them all is that there's been some interest in establishing a fish process and transfer facility where the Navy base is now. And if that were the case and if there was a community there, then there might be some fishermen and hunters to keep that herd in check so they would have an opportunity to harvest meat and also permit the herd from overgrazing the range and subsequently destroying themselves. There has been no response from Senator Stevens' office on this new proposal. I think it's safe to say that there probably won't be any for a while. Right now the proposal to drill for oil in the Alaska Wildlife Area Refuge is the primary consideration for all the Alaska representatives in Washington. We've contacted not only Senator Stevens but Senator Murkowski and Congressman Young's office on other issues, and they've

been very quiet. They don't really want to get into any other issues until the drilling issue on the Arctic Refuge is resolved. So don't look for any immediate action on the Adak caribou situation.

So, I guess we're kind of in a holding pattern right now to determine, first, what's going to be acceptable to the Congressional delegation and the people and how much funding will be available because it is enormously expensive to go to an area and capture a bunch of caribou and transfer them somewhere else.

There were a few other items of interest that came up at the last meeting. One dealt with the reindeer on Atka Island, who has jurisdiction of it. It turns out half of the island is federal land and native land. There is open season caribou season on the federal lands. Anyone hunting on the native lands will have to have permission from natives.

Someone asked about the fox eradication service. That is still ongoing. The island of Chernabura is currently the island. And trapping is going to try to clear that island of foxes.

Final item was the Aleutian Canada geese and moving them to different areas. That project was completed. 173 geese were trapped on Buldir Island. 91 were transplanted to Yunaska Island; and 82 to Skagul Island. And those are all the translocations that are planned.

And that concludes the report of the Alaska Maritime Refuge.

MR. LUKIN: On your -- the caribou off of -- I believe this gentleman's name is Rick, he hasn't had a hunt here in the last couple of years or couple of seasons, and if this does -- what information you give us, well, my feelings are if you're going to remove some of those animals, why not drop them off here?

MR. WILLIS: That was one of the proposals I -- that was mentioned here. We have two areas under consideration for stocking some of those caribou.

MR. OLSEN: But there was no mention of bringing them together with the Izembek herd? What kind of -- is it just a logistical situation there that makes it not --

MR. WILLIS: The limitations on the Izembek herd right now, Mark, are they will graze their winter range and putting additional caribou in there will not gain you anything. We'd better put them where there are no caribou and the range is sufficient to support those caribou.

MR. OLSEN: One other question. Aren't the Canadian geese a migratory bird? I don't understand how transplanting them -- are they -- I just don't understand why they need to be transplanted.

MR. WILLIS: I'll let Greg speak to that.

MR. SEIKANIEC: When you go to transplant geese, the objectives are to get the young birds that are hatched this year. You move them out to an area where they learn to fly. Typically as a bird learns to fly, it imprints on that area and likes to return to that area when it comes to sexual maturity or learns to breed. It will be two at the earliest, maybe three years. They return to the areas that they move to, and they establish nesting areas there. They're trying to recolonize some areas that have probably been wiped out by fox. Now that they've eradicated fox in certain areas, they can now come in and move the birds in there and establish new nesting areas again.

MR. OLSEN: Is it known,

have -- these islands of transplant, have the geese inhabited those islands before?

MR. SEIKANIEC: In the past, yes.

MR. OLSEN: We feel because of the fox that they have not returned back to the island.

MR. SEIKANIEC: Yeah. In a sense. Yes, the fox -- the eradication caused by the fox probably resulted in no successful nesting for a number of years. As that population age structure grew progressively older, you had fewer birds even returning to try to nest those sites to the point where you had none returning. Now, by going in, moving young birds to these islands and getting them to focus and imprint on those areas, they will hopefully reestablish some areas. It's proven to be real successful in Canadian geese in other parts of the country.

MR. OLSEN: I didn't understand the full circle. That certainly makes very good sense to me.

MR. SEIKANIEC: That's the way it's supposed to work. A lot of things come into play.

MR. OLSEN: I have to ask Ivan, are you familiar with the reason for removing the caribou off of Adak Island, because --

MR. LUKIN: How many have been removed?

MR. WILLIS: I don't know if I have that figure or not. I don't know --

MR. STOVALL: No, I don't.

MR. WILLIS: Between 1 and 2,000. We were hoping to get some action on the proposal prior to this year's breeding season and to start removing animals, but it got stalled in Washington, so we've had another reproductive cycle. We've got this year's population. All I can tell you, somewhere between 1 and 2,000 right now. On the low end of that, as I recall.

MR. OLSEN: Is this still being monitored as it was previous to them being moved now, or has that had an effect on the monitoring of it?

MR. WILLIS: I can't answer that, Mark.

Bill, can you answer that question?

MR. KNAUER: I believe we still have some refuge staff out there. I can't say for sure. They're probably trying to keep some idea of the size and the location. They're primarily from the far end of the island from where the naval base is. By the way, there is currently a year-round season and no limit for individuals wishing to go out there and hunt.

MR. CRATTY: What's it cost? Do you know?

MR. KNAUER: Depending on whether you're flying or going on a boat. Be a good opportunity for somebody to maybe take a boat out, fishing boat during the off season and --

DR. MASON: Load up.

MR. KNAUER: Some hunters and load up.

A SPEAKER: That's a long way. That's a long way. I know that's a long way. If I may --

MR. OLSEN: Certainly, you bet.

A SPEAKER: Do you know -- you could hardly get off the plane -- if I want to go out to hunt, I imagine I'd have to get to a stack of paper that high (indicating).

MR. WILLIS: I don't know what the requirements are, if any --

MR. STOVALL: There is still the small naval presence

there, about 200 people; but that is expected to be downsized even more than that. They themselves wouldn't be able to do anything to the herd to lower the numbers. I'm not sure about the regulations that Bill was speaking about.

MR. KNAUER: I don't know what there would be as far as access regulations.

MR. OLSEN: As far as I know, from my experiences out there, the access was only on the military boundaries itself. Other than that, we had access to the island off the military bases, and even at that time they had posted guards. I don't know if it's changed, but I don't know if they would have any enforcement left to really warrant it.

Is there any other question for Mr. Willis or otherwise?

If not, I guess that would bring us down to our report on the Izembek National Wildlife Refuge.

MR. SEIKANIEC: Thank you, Mark. For starters, I thought we'd probably talk about the caribou. I was told that having never been to one of these meetings that questions could come up on geese or about anything. Hopefully, I'll have a fair number of answers for the questions.

The Southern Alaska Peninsula caribou area, which we primarily deal with is the Izembek and Pavlof National Wildlife Refuge. I'll go through a little bit of background in the last year.

In June of 1994 we had 2,137 animals counted through the Alaska Fish and Game helicopter population which we thought would be the best way to survey the caribou calves. Calves comprised right at 20 percent of the population. At that time, 21 females were radio-collared within that population -- or that segment of the population. October of '94, 531 animals were viewed in the Alaska Department of Fish and Game helicopter survey, just coming out to take a general look at the herd. December of '94, 103 animals were viewed and the calves were 11.7 percent. This was by our staff out of Izembek National Wildlife Refuge out of Cold Bay. The 31st of January and the 1st of February of '95, this year, 1,806 animals were counted during our Izembek winter census. That's what we are estimating the population to be.

The 26th and 27th of June of this year we counted 1,434 animals during the helicopter survey again. We're very comfortable with the numbers we're getting on the helicopter survey. This is down 33 percent from the 1994 helicopter survey. Calves comprised 11 percent of the population. Seven of the 21 radio-collared cows were already dead after only one year. So we're also experiencing a fairly high mortality rate on the adult animals.

June through September of this year, just this past summer season, we were taking a look at the production and we were basing it on the performance of the radio-collared females. Eight of the 15 collared females alive during the June calving period produced calves. We had eight of those 15 actually produce calves, so a little over 50 percent produced calves. By September, all of these calves had died except one. So, if you -- as you interpolate that out, your calf survival is running about 12 percent. The same type of thing we're seeing running on the rest of the herd. The adult females seem to be surviving about 87 percent, with statistical evaluations from the Game and Fish office, which would be Dick Sellers out of King Salmon.

He put out just a little one-page report after his helicopter survey, and he said my cautiously optimistic observations from last

year which said we seem to have possibly reached our bottom was perhaps a year or two too early to make that type of observation. The herd definitely seems to be in the decline phase still. We're coming out with approximately this post-calving ratio of about 1400 animals. We're still experiencing a fairly significant adult mortality rate. So, we're definitely not in a recovery mode yet. This seems to compare with the research that Robert had indicated too, the condition of the habitat out there when the key components seem to be missing, and what seems to happen with the caribou herd from what the research indicates is they go on a maintenance diet for most of the winter. They maintain their weights. But come spring, when they get close to calving time, they try to forage in such a manner that they start to put on weight, they have a developing embryo calf within them. And the key then is the lichen component of it, the last-three year study is the lichen component is in a stressed state from the Black Hills all the way down to the False Pass, the Isnosky Strait. So, what needs to take place, obviously, is that range to rebuild, particularly the lichen component, and then that herd will probably follow an upward swing, just like you would have the range follow the swing a number of years into that. That, in general, is what we seem to be observing as far as the caribou herd.

The published papers from the three-year study are expected by the student, the graduate student, doctoral student, doing a thesis on it, will be put out in a series of papers that Chris, our biologist, indicated may be coming at any time. There have been some drafts. You may have seen that.

That sort of in a nutshell is what's up in the caribou herd. I'll entertain questions if I can at this time on that.

MR. STOVALL: If I may ask --

MR. OLSEN: Certainly.

MR. STOVALL: -- what is the normal rate of recovery for lichen? Is it a long-term rehabilitative growth that has to occur? As I understand, lichen is a very old species and takes a long time to grow back. Is that the only component that the caribou utilizes for that maximum growth? Is there any other way to increase, or is time the only answer?

MR. SEIKANIEC: That's a good question. I probably won't be able to answer that to your satisfaction. I understand that lichen is a very long-lived plant. I do not know the growth rate of recovery. Just from personal observations, there's some real differences that exist right there right now. You can go right near the city of Cold Bay, sort of the north-facing bluff there. You can just visually see it, great lichen component of it. Obviously, the caribou don't utilize that because of the locality of the town and so on. You get out anywhere away from that, the Bald Hill area, which would be some of the winter area. Very different, you hardly see lichen component there at all. What you do see is way down to the tundra mat. Those of you that have probably been down in Adak -- I have not -- I hear the staghorn lichen is the same component. It's so different. It sticks up above the tundra. You have these large plant-type components there. So, I can't help you out with how long you would expect that to recover. Typically, caribou herd, they say it exists throughout Alaska. You'll see these large buildups of population, really dramatic declines. There's some components working on them at that time. You've got predators working on them,

obviously, and it causes them to come down very quickly. They think that's a significant factor in the recovery of habitats to have that quick decline so that the habitats can then begin a recovery in a state where they start them up, instead of keeping a large number of hunters for a period. Keep pressing to a point where they really have a lot of trouble.

MR. OLSEN: I guess when I visualize in my mind, these peak seasons of both top and bottom, isn't it our hopes to have a sustained yield, although we cannot have a sustained yield if we have this kind of a situation? Isn't there any kind of a management tool where we know what in the past has kept the herd or has been able to provide for that herd? I'm just kind of -- in my own mind thinking that there must be a way of managing it so we don't overpopulate it versus overkill.

MR. SEIKANIEC: I think that the best ideal situation would be if you could have a herd and you could manage it by a certain number of animals removed every year. What seems to have taken place throughout most of the herds -- and, again, this is related to me by our biologist -- is we can never seem to get ahead of it on the harvest part. Once the herd starts to build, we can't sell enough tags or we don't have enough people in the state to utilize it to a point that we keep it at that level that you would like it to where the range stays ahead of the number of animals. That's been demonstrated in so many herds, and they're starting to even fear that the one around King Salmon may be starting to exhibit that peak levels, perhaps, dropped a little bit. They don't know -- now, are we on a downward slide? They can't sell enough tags and have enough animals harvested.

MR. OLSEN: What would you say under your observations? Are we looking at the overgrazing as a problem and also we look at the harsh winters as part of your winter kill, how do we know or the best of all of our analysis find out what is responsible for the decline? Is it the grazing or --

MR. SEIKANIEC: Versus the overuse?

MR. OLSEN: -- or the harvesting in the winter? There must be some kind --

MR. SEIKANIEC: With me being new, I can't attribute that much of my background to caribou. Certainly in a large herd situation -- I can speak well of antelope in Wyoming -- that your winter kill situations are typically characterized by a high population level and a lot of animals dying in the course of one year. And then the next winter you may have a reduced population number, but you don't experience that large drop again unless you have two severe winters in a row. You can usually pick out the winter kill portion of the herd based on the type of the severity or the winter, whereas your declines over a long period of time where you mix in both winterings and the habitat conditions declining, you still continue on this downward step. Whereas if you have just a one-time winter kill or two years in a row, usually your herd will stop there and start to rebuild. Whereas this one seems to be exhibiting that continued decline. That would be the best I could say on what you could probably expect or see in that relationship.

MR. OLSEN: Anymore questions?

A SPEAKER: You guys keep track of your wolf population?

MR. SEIKANIEC: Yes. The wolf population, yes, I

should have that in there. As is typical with a herd, if you have a high population, you have a lot of predators around. What we have exhibited now, we're reduced to a number -- we have four known den-in sites for wolves. In three years we have none of them being used. No known wolf dens from the Black Hills area down to this end of the Peninsula. There are some isolated wolves out there. We saw two during our summer survey, and I just had a report of one being the --

A SPEAKER: What do you mean "not being used"?

MR. SEIKANIEC: The den sites, that's a response you probably would see from a large predator, when they're starting to experience stress from lower level of food availability. Especially for wolves, they're known for experiencing --

A SPEAKER: Are there any wolf population areas --

MR. SEIKANIEC: -- number one.

A SPEAKER: I know they get them around here. They didn't do it years ago.

MR. SEIKANIEC: Yeah, I could not say.

A SPEAKER: It's got to be pretty high --

MR. SEIKANIEC: Our biologist feels what they've been compared to a few years ago, they're way down. You may be experiencing a behavior by an animal that is no longer following the prey that they like, they're looking. If you're not finding them here, that's speculation. Typically a large -- a wolf can travel a hundred miles looking for new territories and expanding their ranges and so on. There was some speculation that because we're experiencing fewer wolves here, they may have just moved up the Peninsula. That may be why we no longer have active dens down here. They've moved up.

A SPEAKER: What's the chance of, you know -- we had a whole bunch of caribou four years ago and all of a sudden went down 2200 or something, 1500. I mean, just one year they used all that? Couldn't they have some in the winter?

MR. SEIKANIEC: You probably could have seen some of them possibly migrate out. You check the records, you'd also find that there was probably enough of a winter kill situation, there were a lot of actual animals on the ground out there.

A SPEAKER: Just dying.

MR. SEIKANIEC: A lot of skulls. I see them from the air with antlers still on them. Our biologist could probably answer that. He's been here considerably longer than me.

A SPEAKER: The reason -- we haven't had caribou season here in a couple of years. That's our main source of food around here, and it's just pretty hard to get them. We can't afford it.

MR. SEIKANIEC: The threshold level is designed at 2500 level, they were hoping last year was sort of the bottom and it was going to start coming up. Once we get to those animals, obviously, there's going to be a subsistence local take high priority, first priority.

MR. LUKIN: You mentioned something about the food chain of theirs. Are they overgrazing? Is that how I understand it?

MR. SEIKANIEC: They think what happened was the population was high enough that it took out that important component that they need late in the winter, early in the spring to develop nutritionally for having calves.

MR. LUKIN: Are you finding that out in all the areas where they moved in area here?

MR. SEIKANIEC: Three sites that we were looking at -- two sites on Izembek that we looked at, which would be the Black Hills area, of course down here in Baldy Mountain area, between Baldy and Frosty, yes, that was definitely a component of it.

MR. LUKIN: So, in other words, if they can't come through, up in this area, you have the same problem?

MR. SEIKANIEC: Necessarily wouldn't do any good. The range of habitat is probably not ready for it.

MR. OLSEN: Wouldn't that be a way of confirming it?

MR. SEIKANIEC: Might be. But might put the recovery off a lot longer than if you didn't do that. I don't know.

MR. OLSEN: The other thing that alarmed me was when you talked about the collared animals with the high mortality rate. Do you take into consideration what -- the caribou usually travel in herds. Do you try -- once these are captured and collared, how much effort is made to make sure that they get back with their running companions?

MR. SEIKANIEC: Right. They're successful in getting back into a herd group. We've demonstrated that in other herd areas where we've collared a number of animals, where we were studying the herd and coming off, these animals have melded back into the herd and mixed with them well. That's in general. I don't know any more specific than that.

MR. OLSEN: There seems to be a high mortality rate for these guys.

A SPEAKER: You said the hunt is getting too high -- I don't think it would be more than a hundred being taken from this area, local hunting, you know. You guys should maybe think about maybe we should keep them; if 100 is going to die, why not give us the hundred?

MR. SEIKANIEC: Is that part of the subsistence --

MR. WILLIS: When the herd was building up, the regulations were liberalized to try to let people take as many caribou as they wanted to take and keep it from reaching as high a level as they needed to be. There were not enough people using animals to do that. We started this decline. When the herd started -- finally got to a relatively low level where we didn't want to take out a large number of animals, the sport hunter or nonsubsistence hunter was eliminated. It still continued to break. Now, we're down to less than a thousand animals. We've got about 10 percent calves, 1400 animals, right around a thousand animals. If you go in and take 100 animals, that's 10 percent of your entire herd taken out in one year. Plus your additional mortality from winter kill and so forth.

We're in a position now we need a certain number of animals there to bring the whole herd back from the range condition. So, it's just not a good idea to go in there and start shooting even a small number of adult animals when they're in that condition. You need to wait for them to start up on that upswing. And then you can start taking some of them out.

A SPEAKER: What's the lowest it's ever gone, the caribou herd?

MR. WILLIS: I can't answer that. I might be able to find that digging back through the records, but I don't have that information. The State would tend to have that information probably

going back to maybe the early part of the century.

A SPEAKER: This year I'm noticing more caribou around areas that hasn't been there for a couple of years, even in Cold Bay.

I see some of them up in the mountains already. They're getting some on False Pass there in areas that we haven't seen them for years. They're there.

MR. WILLIS: That doesn't mean they're increasing in numbers. As Greg mentioned, just because you see them in an area where you haven't seen them before doesn't mean there's more wolves overall. It generally means that they're moving into a new area looking for something to eat. We had that situation with bears in the Seward Peninsula area a couple of years ago. People were suddenly seeing bears where they hadn't seen bears before at that time of the year. They were concerned that there was a big overpopulation of bears. But, first of all, bears can't reproduce that fast, so if you suddenly had a lot more bears than you had the year before, it was extremely dry in the north. Bears are generally up in the mountains looking for the berries at that time of the year. There was a failure of berries crop. The bears moved down later toward the coast and streams. All of a sudden people were seeing bears where they didn't normally see them. It wasn't because there were more bears. It was because conditions had changed elsewhere. They existed in various locations at a time of year they weren't normally there. Just because you see animals where you haven't seen them before doesn't mean that there's more animals overall.

A SPEAKER: Like three years ago, we had to walk back down there to the lagoon, halfway in between there. That -- that's a four or five-hour ride. Then within five years, they're all over the place. Now they're back to going in.

MR. OLSEN: When you say it doesn't necessarily mean -- it also doesn't not necessarily mean, so, I think we need better biology, better count; or otherwise I have to agree with him that if it's on the decline anyway and the grazing seems to be the problem, I know throughout many of our resources 10 percent is a standard harvest that's acceptable for ensured sustained yield. Now, we have just addressed that. It seems like when it crashed, then you had the recovery rate of their food source, and I take into consideration the subsistence users have been here for decades and decades and how old is the herd? They're probably equally as old. I just don't see any scientific research or biology going into those questionable reasons.

To me, it's really hard to flat just come out and say -- tell people that have been harvesting these animals basically for centuries, and all of a sudden saying you're going to extinct them. I find it very hard to swallow.

Bill.

MR. WILLIS: One thing that we always have to consider is the pressures placed on a population may not be the same as they were many years previous, however many. You can look at the town of King Cove here, the information we have is it's doubled its population in just the last few years. Certainly, all those people don't hunt caribou, but still there are additional people that might.

We also have, over the past 34 years, changes in modes of transportation and efficiency of harvest. So, the same number of people might be able to exert more pressure on a resource than they had been prior to the development of certain technology. You know, like four-wheelers or snow machines. So, we always have to be

Careful in how we evaluate things, because conditions are always changing. Just -- you're seeing that in fishing. The types of gear you use or the safety of the boats or the timing, the electronics give you much better chances than you might have had ten years ago.

MR. OLSEN: I thought that's what this is all about, was subsistence, rural preference. Certainly, I know in a designated hunter, it was a qualified person. So, I don't see where that number has changed. And, yes, I agree with you. I think there needs to be more of a regulation as far as the machines that men are using today because as I look at it most of them are sports hunters. It certainly tells me when somebody spends a great amount of money to go out, it's not necessarily subsistence. I think those factors are very controllable, and I think that's what really digs at the heart of the people when they see these things happening. These things should be taken into consideration, not just the biology of the animals, whereas I never heard of those -- we have talked about those possibilities of restrictions to have a sustained yield, but that basically for all purposes have been ignored.

Bill.

MR. KNAUER: When this herd was in a decline, real sharp decline a few years ago, three or four years ago, sport hunting was prohibited down here while there was still a subsistence season.

The local users still had a season for two or three years when there was no sport season. Then when it started to really bottom out, I think it was about two years ago, all hunting was closed and there is a management plan, I understand, in place that has been agreed to that says that when the herd reaches 2500, that's when hunting could resume. At that point, it will be the subsistence user that will be the first one to hunt. It won't be the sport hunters that will be allowed to hunt; it will be the subsistence users.

MR. OLSEN: Certainly that is a good tool. I guess what bothers me, we have no -- what is the bottom line where they become endangered? Certainly, they have survived and gone through these cycles for many, many generations. It's nothing new. We have no statistics to show where the bottom is where they might become threatened. We automatically put restrictions on those that depend on that as a customary and traditional use. It's sometimes really hard for me to accept those justifications. Although I am in favor of always having a sustained yield, the means and methods that we use to control that, I don't quite agree with all the time.

MR. SEIKANIEC: Mark, I'm just trying to sort out some things so I have a good understanding of what's going on as well. What I think -- what I hear you probably saying is you would like to try to get a better handle on what is the threshold level, the minimum population level at which if you hunt them, you're going to hurt the herd more versus if you leave them alone, you're going to start to recover.

MR. OLSEN: We identified 2500 as our -- from our information that has been gathered today as the acceptable. 5,000 is way too much. So, we've identified that range; but we have done nothing to identify what is the threshold.

MR. WILLIS: 2500 was identified as the threshold by the State and the Fish and Wildlife Service. That's where the number came from. The biologists working the herd got together and looked at the range and they decided that if it dropped below 2500, that hunting would have to cease or it would be hurting the herd. So,

that is considered the threshold limit.

MR. OLSEN: But how far does the data go back, I guess, is what I want to ask? I'm sure that it's a much lower level through the past decades. It always has been. I do respect the recovery rates, et cetera, but looking at other species that I feel were totally incorrect on that same theory. . I just really question it when we do not have any scientific data other than theory for threshold levels.

MR. SEIKANIEC: I don't know that you could ever -- excuse me, I'm sorry.

MR. LUKIN: Go ahead, sir.

MR. SEIKANIEC: Threshold levels are one of those elusive things, you know, that is a very difficult number to really get a grip on. I think that you'll see a number utilized that possibly will have some margin of safety into it as well. You may feel like it's too high of a number at times, but from the standpoint of all the information that's available at the time, it's a very reasonable number that they usually utilize to allow for that recovery of a herd in a situation as well as then to allow for the recovery of the habitats that need to be sustained at the higher level.

MR. OLSEN: Here again, I look at it and in this area they have not given it a chance to prove, so even though -- let's say they did go extinct. We do have replacement herds that we are trying to shoot and kill off and give away. It can always be replanted. I have a problem with justification sometimes. Although I do understand logistics and costs, don't get me wrong.

MR. KNAUER: Part of the federal mandate for the Federal Subsistence Board and the regional councils, the No. 1 priority is the conservation of healthy fish and wildlife populations.

MR. STOVALL: Sound management.

MR. KNAUER: Through sound management. The No. 1 priority is conservation of healthy fish and wildlife populations. So, the board is always going to be conservative as it gets to that low end because if they pin up in a situation where for some reason the herd goes below a recoverable level, they have not met their mandate to provide for conservation of healthy fish and wildlife populations. And, in turn, it's those healthy fish and wildlife populations that provide for the subsistence -- the continued subsistence opportunity.

MR. OLSEN: Right. I agree. Subsistence is as old as man in this country.

MR. CRATTY: Getting to that issue, that brings me back to the sea lion issue. We can't get them around where I live now. It's a subsistence food. You're talking about the caribou. Why haven't you done something about the sea lion?

MR. KNAUER: I think the National Marine Fishery Service is very concerned about the sea lions. The marine mammal portion of the Fish and Wildlife Service is working quite closely to try and figure out just exactly what it is that's the critical element there. There's a lot of speculation on various things. And they are concerned and they are working on that issue.

MR. OLSEN: I also feel that part of science is experiments. I see areas of perfect opportunity that if subsistence hunting is still allowed and it didn't decline very much, we still

have an abundance on Adak that we don't know what to do with it. It is a renewable resource. I feel that we need to go beyond paper and books of science and it's not what we know, it's what we don't know, but it seems like we are in a standoff because there is no experiments being conducted.

MR. LUKIN: How many countries -- how big -- I mean, before you shut it down.

MR. KNAUER: Before we shut it down? It's only the residents of 9D and Unimak Island. It was only right down here.

MR. LUKIN: Out of those two communities, how many permits were issued or how many -- by the time the season was over, how many animals were taken?

MR. OLSEN: By subsistence.

A SPEAKER: What was your average loss a year after you -- with the subsistence only? Were you guys still losing caribou?

MR. SEIKANIEC: My understanding is they were showing very significant declines every year.

A SPEAKER: It couldn't come from us. We didn't use that much caribou. This time of year, it's just maybe a hundred. Even that, I just can't -- I can't stomach that, you know -- you guys go to a point that where it don't go back up, so you guys don't know because you haven't tried it. Why not give us a hundred and try it, see what happens next year? If it closes down for ten years, you can't get it back anyway. Why can't we try to get that? One per house. That will help a lot. You know what I'm saying?

MR. OLSEN: This is a very, very good discussion, and I don't want to try to avoid it, but we are at a critical lunchtime.

We only have so much time we can eat. I would love to carry this on after lunch, I'm hoping to, if there's no objection. At this time I think lunch is very much a priority. So, at this time, I would like to call for a recess for lunch.

MR. EVERITT: Until 1:30.

(Lunch break.)

MR. OLSEN: I guess we can call this meeting back to order, please. I guess we left off at the Izembek Refuge issue. Was there anymore discussion?

A SPEAKER: Oh, yeah. I just got through talking with Robert here about what I wanted. I just wanted to maybe let you guys hear -- I was wondering -- have 100 caribou or somewhere in that area, and -- you know, just to try it, you know, try to take 100 caribou and see if that matters anyway, you know, because we're losing all that much anyway, according to your survey.

MR. SEIKANIEC: We seem to be.

A SPEAKER: Maybe if we shoot maybe 100 caribou, we won't lose 100 caribou because of food. I just wanted you guys to know what I talked about, and he said I should put a proposal in. If there's any way you guys could help me on that, I'd appreciate it.

MR. OLSEN: I certainly think and know that's what we are here for is to try to make good, sound decisions here. When I look at this, I might question where is the number 100 picked from. I guess that would be my first question.

A SPEAKER: Well, what do you mean? From what village?

MR. OLSEN: You say you're looking at being able to

harvest 100 caribou.

A SPEAKER: From this area here. It's a big area.

MR. OLSEN: How do you arrive at the number 100?

A SPEAKER: I'm just going by the people around here in this area. You know -- I don't know if you'd even take that much.

Some might take more. Some don't even eat caribou; but there's a lot that do. Maybe 150. I'm just saying 100 to maybe even give us one, you know. I've got to make it -- you know, that's a big part of our diet. It's just so expensive, you know, to go fly around and try and get caribou, you know, and I think there should be something said about it, done about it. Last year I had to -- this year I don't have a caribou, so it's pretty hard.

MR. STOVALL: You might want to -- one way to approach that is to go with your proposal and -- because proposals, I think, are due very soon.

MR. KNAUER: October 27th.

MR. STOVALL: You might want to go ahead and touch base with Vincent or Gilda and tell them that's what you want them to do, so they can get information for you and help out their proposal. Then when we reconvene, they can talk to the other council members here and see what you come up with for a proposal. They'll have an opportunity to discuss it then, and they'll have a proposal in front of them. Things of that nature. You should try and get it out as soon as possible, and you might want to get with Vincent and Gilda to talk with them about it.

MR. OLSEN: Randy.

MR. CHRISTENSEN: Exactly what Robert was saying is what I was going to bring up. Same thing.

MR. LUKIN: I was thinking here before lunch you -- a little oil is called beluga. I think there was a big issue on that. I don't know what came about here, agreements or terms or whatever to harvest what they got, but what makes sense to me listening to what he has to say about the caribou in this area is that maybe you people as a community need to get together and take a count on how many of you are interested in, you know, going after one and how many families will it take and maybe approach the councils or the proper people and give them this information, and that's why I asked these gentlemen earlier how many tags were issued in the past, you know, prior to the shutdown. One question I had for you before lunch was you got to talking about that diet of the caribou and they feed from -- they move with the feed, and if they're cleaning out the same patch, whatever they're feeding on from year to year and not giving it a chance to grow, it seems to make sense to me that the herd is healthy if they're not allowing this vegetation or whatever to grow, you know.

MR. SEIKANIEC: The herd is larger now than what there is available, right. I don't know if that signifies necessarily that it's healthier. You're also seeing a number of cows die every year as well which is probably related to nutrition.

MR. LUKIN: Our winter kill varies from year to year on the deer population on Kodiak, and it just depends on how severe the winters are.

MR. SEIKANIEC: That's a factor in given years.

MR. LUKIN: I don't see it much different here. Apparently it's no more severe.

MR. OLSEN: I do -- in relationship to that, I do not

know what the diet is of the caribou whether -- what the growth time is of their main diet stay, but it has been definitely our experience that we know in the tougher times in the winter when the deer come out to the Kodiak beach to eat, if they eat too much seaweed we seem to have a die-off from the change. I don't know. I'm not a biologist. It is very noticeable.

MR. SEIKANIEC: Abrupt change in diet in ungulates, the -- the bacterial growth for digestion, and with diet change -- they may not have a diet change. If they're off -- at a feeding operation, where they've been on a food and you change them, it's happened.

MR. OLSEN: If it's plain grass, I mow my lawn six times a year in Kodiak. Without anymore change with diet, I hope that we can find some reasonable guideline to -- I don't understand what their particular vegetation is. And back to you on your proposal here, just as I see it as very helpful to be able to give a specific number that is intended for or at least not to exceed from the past harvests, and I know that throughout, statewide we have an acceptable figure of what subsistence take is in comparison with all other user groups, which is a very, very small number. What was the latest figure of the population of this particular herd at this time? Was it 1400 or 1800?

MR. SEIKANIEC: Around 1800 animals.

MR. OLSEN: 1800. So, 100 would represent about 18 percent, wouldn't it?

MR. EVERITT: Huh-uh.

MR. SEIKANIEC: 10 percent would be 180 animals.

MR. KNAUER: 90 would be about 5 percent.

MR. OLSEN: So, I'm saying this is a way of coming up with a desired amount that --

A SPEAKER: Come up with a figure on that proposal, right?

MR. OLSEN: Right. I think there should be an amount for taking. Like 50.

MR. LUKIN: You might be looking at maybe 30 animals or something like that.

A SPEAKER: You don't give us much time to do this in.

MR. KNAUER: October 27th.

A SPEAKER: That's a few days here.

MR. OLSEN: I would encourage it to be sent in whether you feel that's 100 percent or not, because at least it's on the table. It's got to make it that far first.

A SPEAKER: We can try it anyway. It won't hurt to try anything.

MR. OLSEN: Just for your information, I certainly support that idea with in mind that I don't see any harsh statistics that show even after the hunting season was closed to sports that subsistence was responsible for a half- year decline. I mean, these are the things I would like to somehow get a sense of. And if you aren't able to reach Gilda or Vincent, please don't stop there.

A SPEAKER: I'll call you up. I'll be sure to call you.

MR. OLSEN: Yes.

A SPEAKER: There's one more question I have here. I don't know who I ask on this. We've got to pay for hunting license, you know. What do you consider hunting license? I can't see buying

a hunting license if I'm going to hunt grouse, you know.

MR. SEIKANIEC: If you're going --

A SPEAKER: I'm only hunting birds, you know. Do I have to buy a hunting license to go hunt birds?

MR. SEIKANIEC: Yes.

A SPEAKER: I'm not shooting caribou. That's the only hunting. Why should I pay 25 more bucks for my license? I'm hunting birds --

MR. CHRISTENSEN: You have to realize we're all Americans.

A SPEAKER: I can buy, what, nine pounds of hamburger. I can't get caribou.

MR. CHRISTENSEN: Every American has to do the same thing.

A SPEAKER: I could buy nine pounds of hamburger with that 25 bucks. I'm not hunting the caribou. That's the only other animal we hunt around here.

MR. CHRISTENSEN: I'm not trying to put anything or try to take anything away from you, but you have to remember that we are all the same. That's what we have to realize.

A SPEAKER: Why am I paying these extra 25 bucks, though?

MR. CHRISTENSEN: Because it's law.

MR. CRATTY: Excuse me. Is that law, or do you have to have a duck stamp?

A SPEAKER: You've got to have a duck stamp. You've got to have a hunting license too.

MR. CHRISTENSEN: Uh-huh.

MR. CRATTY: That's news to me.

MR. OLSEN: This is one thing that has been very argumentative. I will continue to hopefully get -- that it does not make a whole bunch of sense to me when our management is after statistics for healthy management where a subsistence user is using it as purely a food.

MR. SEIKANIEC: And --

MR. OLSEN: Hopefully someday we will be able to get subsistence permits.

MR. SEIKANIEC: That's probably where we are right now. There is no subsistence permitting for fall migratory bird hunting. Everybody falls in the same category that Randy is coming from. Everybody needs a hunting license to hunt migratory birds in the fall.

A SPEAKER: Is a subsistence user, is he allowed to take a bird without a license? Is it illegal -- can you take -- you have to have a hunting license? You have to have a hunting license to take any kind of subsistence. Is that what you say?

MR. SEIKANIEC: There is no subsistence category for migratory birds during the fall hunt period.

A SPEAKER: If I go up here, and I had no license.

MR. SEIKANIEC: That would be a violation. You would need to have a license, and the State requires a license, and the federal system requires the duck stamp. So, you need that combination.

A SPEAKER: I'm saying I'm hunting the ducks, I'm not hunting the caribou, they're not giving me the caribou. Why should I pay the extra 25 bucks for the hunting license when all I need is the

bird stamps?

MR. SEIKANIEC: You don't have to buy a caribou license. All you have to buy is the State small game license.

MR. KNAUER: And if you're under a certain income, you can even get the reduced fee license. It's like 5 bucks. So, you know, one thing we need to remember is that the moneys that are generated by those hunting licenses -- you're asking what numbers on the caribou and all, the money for those studies comes from those licenses, whether it's the caribou or the ducks or the fish. The moneys that are generated there are what are used to fly those planes, to find out how many critters are out there, and where they are, and what the problems are. That's a big source of the money that the Alaska Department of Fish and Game operates on. And also the moneys that they generate the federal government matches and gives them a certain amount of moneys based on that. That's the tax that we all pay or that the manufacturers pay on the firearms and ammunition. It comes back to the state, and that's what's used for these studies and also to buy some of the State refuges also.

MR. OLSEN: I thought that money went back into the general fund.

MR. KNAUER: Nope.

MR. OLSEN: On the other hand, I do kind of feel for where he's at if all of a sudden you take away prior dependency and disallowing the hunt he's forced to go to another source and he's still required to have a license --

A SPEAKER: I just wanted to understand it.

MR. OLSEN: I don't understand it.

A SPEAKER: It's confusing to me to buy a license. I can see where he's talking about he's -- you know, he needs money to check the caribou out and all that, but, you know, \$25 to me is a lot of money especially if I can't hunt caribou. That's a lot of money for meat in the store. Tough seasons like this, that's a lot of money to me, you know.

MR. CHRISTENSEN: Yes. Mr. Chair, yes, that may be true --

A SPEAKER: I know it's true. Not maybe.

MR. CHRISTENSEN: I understand that that is true, but also, you know, you look at the rest of the people and they're all in the same boat too. And see what --

A SPEAKER: They're not coming out for caribou --

MR. CHRISTENSEN: Excuse me. Can I please say my piece first? On the whole, there's a lot of people that are in the same exact boat as you and I, and looking for subsistence, and when you're working with the federal -- see, what we have to do is we have to make everybody happy. That includes the federal government. So what we're trying to do right here is we're trying to figure things out so that it will make them happy and make us happy; and whether we like it or not, we have -- what we're trying to do is get a happy medium here. That's why we're meeting, to work things out to make things work for both of us, meaning the government and us. And that's what I think is the only way that we're going to be able to -- it's like a stepladder, you take it one rung at a time. And whether we like it or not, if you ask for too much, they're not going to give it to you. They're not going to give you the whole hog. They're just going to give you one rung at a time.

A SPEAKER: I'm not asking for much, just 25 bucks

back.

MR. CHRISTENSEN: I don't want to argue with you or fight with you. I'm trying to explain to you, this is how the government works. The only way we're going to be able to get anything done is one rung at a time. What we need to do is to -- you can't ask for too much. You have to ask just for enough so it will make them happy, make you happy; and then once you get that, then you can ask for more after that. That's the trick to the politics of this whole operation.

A SPEAKER: I wasn't asking for it. I was asking about it.

MR. CHRISTENSEN: Like I say, I'm not arguing with you. I agree with you totally. If it was me, I'd go whole hog too. But what I'm saying is we have to play this here politically correct --

A SPEAKER: Yeah, I know that.

MR. CHRISTENSEN: -- according to the bureaucracy of what's going on here. This is what -- this is where this table here is trying to -- it's -- the medium between here and the board.

A SPEAKER: I understand that.

MR. OLSEN: I just want to mention. I have agreed with that totally from Day One that I do not understand why subsistence permits are not issued to a person for a lifetime because that is a lifestyle, and unfortunately we have not reached to that height yet, but I hope that things such as our petition are going to enlighten this issue because subsistence is there because they do not have the cash flows to go to the stores, nor is it their desire.

A SPEAKER: My question was answered.

MR. LUKIN: I would be like you and Randy and yourself and many other people for the fact that -- with the evidence that we have, you know, over the past years, I was looking back in the folders here somewhere and on your chain of people in front of you and so on and so forth. Different areas with different parts of the job or whatever it is you're providing is showing history of the Indian and native people. And you'll find bird -- duck, whatever, and that's plenty evidence to show that throughout the years, centuries or whatever you want to call it, it's been a way of living here, and I think that it needs to be taken into consideration that this is history. The only way it will stop on our part, if we're not doing our part by teaching our children what we have learned from our forefathers.

MR. KNAUER: Nobody disputes that waterfowl are part of the subsistence lifestyle. No one at all. We all recognize that that's part of the culture and part of the lifestyle. We're all Alaskan.

MR. OLSEN: I guess, to put it in short, that subsistence was not responsible for the decimation of the buffalo.

Is there anymore concerns on this Izembek? Any other questions? I'm here now, or I'll stay tonight. If you have any other questions, even after the meeting, I'll be here. I certainly, if I can help, I'll do what I can to try to see this experiment through.

A SPEAKER: Thanks for listening.

MR. OLSEN: Thank you.

Next on the agenda, we have the Kodiak National Wildlife Refuge.

Robert.

MR. STOVALL: Yes. Just a few things about Kodiak Refuge. It's the largest landowner on Kodiak Island and some of the programs that -- I'll just briefly describe to you, the bear-viewing program for the last three or four years, and we didn't have a program this year. It was canceled, and there's no plans to start it up until 1307 ANILCA regulations have been put into effect; and at the present point in time they are drafted up and going to review process. So -- when that process is completed, then there's a possibility that a bear-viewing program on Kodiak Island National Wildlife Refuge will be started.

There's an ongoing river management planning process that is in the state right now where they are making determinations of how compatible the rivers are, the high-use rivers of the Kodiak National Wildlife Refuge. There probably will be a prospectus system developed after public review, should begin next year, a public review process of the river review management planning stuff. There will be more about that next year when that comes about. The refuge just recently got lands back. Since the EXXON VALDEZ oil spill the trustee council bought back lands from Akhiok, Ugak, and Old Harbor Native Corporation. And I've got a map back there for all the council members that show the phases of the land buy-backs and the first two phases have been completed as of September 30th this year.

Any of those three things, if you want more information please feel free to contact the refuge and more information can be given. I just wanted to be brief about those items.

I wanted to talk about deer populations on Kodiak. Mortality surveys were done this year. We did aerial -- coastal aerial surveys of deer this year. The mortality surveys have been done since 1992. I'm in the process of summarizing all that mortality data that I've obtained in the last four years. The deer mortality increased from last year about twofold, but it's still very, very low compared to 1992 when I was starting to keep the records. Also, the aerial coastal counts were done similar to where they were done in 1992 and 1995, and there was an increase of deer counted from 2300 in '92 to 6800 in '95, and that -- we didn't cover all the coastal areas, but most of them. Whereas we did cover all of the coastal areas for the 2300. A significant increase of deer that were counted. Also, I got hunt figures. There was an increase of hunter success, increased the amount of deer were harvested this year, in the '94, '95 hunt year. Approximately -- the expanded number was 10,000. That compares to last year's expanded number of 6,000. So, there was more deer and there was more deer harvested.

MR. CHRISTENSEN: Excuse me. You're talking about Unit 8?

MR. STOVALL: Unit 8.

MR. CHRISTENSEN: Is that 10,000 more than the year before?

MR. STOVALL: No.

MR. CHRISTENSEN: That's total.

MR. STOVALL: Total.

MR. EVERITT: Where did that number come from?

MR. STOVALL: Alaska Department of Fish and Game survey. Deer hunting questionnaire survey.

The last thing I was going to discuss was last year I

participated in a sea otter aerial survey along the whole Arctic area of Kodiak. I had just the raw numbers of what was counted, the expanded numbers was 6100 sea otters in the Kodiak area is what has been determined. The report hasn't been completed yet. That's all I had to talk about.

MR. LUKIN: My question was to Robert. Is that -- was that your first survey, or is there past surveys on the sea otter?

MR. STOVALL: This was a first survey using this standardized aerial survey technique. There have been other surveys completed in the past around Kodiak, including those done immediately after the oil spill of '89. And previous to that, there had been other different types of surveys done that weren't aerial. Some were boats; some were aerial. This is a method that they've tried to standardize for the whole state, and it was tried on Kodiak last year, and they tried it in the southeast this year.

MR. LUKIN: Are you finding that aerial is more accurate?

MR. STOVALL: If it's not more accurate, at least we're getting a number that we can go back to; and when they do it again, they have a number that they did and they'll use the same technique, and they can start to determine what type of trend is going on with the population. So, it's a usable number as compared to the other studies that were also usable studies, but they weren't numbers that could be used with each other. They have to be used separately. This study for this year, that study for that year. This survey will be able to be compared to another aerial survey done the same way year to year, and you can develop a trend for information.

MR. LUKIN: Can you give us figures on what you came up with from last year's survey to other years?

MR. STOVALL: I don't have those with me. I can look up those studies and try to give you a number if you'd like. If you want to give me a call at the refuge, I can get that information to you.

MR. LUKIN: The reason why I'm asking the questions on the sea otters, I feel like they're taking a toll on our beds which a good percent of our people on Kodiak depend on as a winter subsistence use. There's areas up on the west side of the island that have absolutely nothing on them now. Big areas -- they lay in an area until it's wiped out and then they go to another area. You have little beds on the beaches of Port Lions which we depend on year and months, and it's kind of scary to think about losing those little beds. That was one question that was really on my mind. I wanted to bring that up to the council.

MR. CHRISTENSEN: We've talked about that before. We need a way.

MR. OLSEN: Robert, I am just -- on the surveys, what factors are involved? When I speak of that, do you do your surveys with the weather conditions that are as closely related to the previous year? Is it basically the same time of year that you do the surveys? And my reasoning for that is I know weather plays an important part, on a nice, sunny afternoon, you can see them visually easily, no waves, they seem to float in the sunshine. Windy days, there are going to be rafts of them tucked in behind little rock piles and situations of that nature; and also the season as per salmon season, their feeding habits where I think any one of these factors could have a significant impact on the survey.

MR. STOVALL: Right. What they've done is these surveys are basically done at the same time of the year and they try to do it under the same type of conditions. The reason being that they're aerial surveys and you can't have a survey, a good count on the survey in bad weather conditions plus all the weather conditions are written down on all forms. So, there's a regular time and what type of conditions the surveys were done in. There's a certain amount of tracking of the weather conditions, of the sea conditions, and of the -- where they're being found. So -- and because this becomes standardized throughout the whole system, you get a lot better picture of your population, and you'll be able to see that picture of your population over many years when the survey's done again. So, from the standpoint of their usability for the subsistence user to have just those numbers to try and relate back to your question, this is a better technique that's being done. There have been studies, food studies of sea otters. They have been done.

I know that for a fact. I know some of the people who have worked on those studies. Yeah, they are looking at it and how they're affecting the -- their local amounts. Just to keep in mind that there is a sea otter -- you can hunt sea otters for crafts and other subsistence types of uses. So, there is some type of controlling factor there that is very localized, but there is a controlling factor.

MR. OLSEN: Is there any type of photography incorporated with this?

MR. STOVALL: Yeah. When there's very large groups, fly over and see a large group, we try to take pictures of it so we can get an absolute count of the numbers that are visible.

MR. OLSEN: I know that especially with today's photography equipment, large numbers, and small numbers, video can be stopped. I think that's a good backup to numbers.

A SPEAKER: What's the largest amount of sea otters you had in one group? Do you know?

MR. STOVALL: The largest group? It's very difficult to count a lot of sea otters at one time. You're flying 70 miles around.

A SPEAKER: I'm talking about the pictures.

MR. STOVALL: I've got a picture of about 50 sea otters in an area, which is a small pod. You think about flying in a straight line and looking out one side of an airplane, you get a picture of 50, but there could be four groups on this side of the plane that aren't being photographed, and 50 to 100 in those groups. That's how the expanded number is how they statistically come up with that we didn't count every sea otter out there. You can't do that.

MR. OLSEN: Why don't they do that with photoing on any --

A SPEAKER: It's pretty expensive.

MR. OLSEN: It costs the airplane and the people.

MR. STOVALL: The equipment, the video camera itself. We use photography.

MR. OLSEN: Still cameras.

MR. STOVALL: We didn't use video.

MR. OLSEN: If there is nothing more on the sea otter, I have a couple of small questions, and that is -- that is this bear watching, moose watching places are becoming more popular. Is there a fee for these areas for moose watching, for bear watching?

MR. STOVALL: The last year of the bear-viewing program, there was a private operator and, of course, he was allowed to charge a certain fee. And his fee was to include certain conditions, ways that he's -- certain things that he was supposed to include in his fee besides opportunity for bear. Yeah, there is a fee charged. A lot lesser fee, but there was still a special-use permit fee that was charged.

MR. OLSEN: I just wanted to see if we're all paying -- for our satisfaction whether eating or seeing, it still would cost anybody who is to set this up.

The other one was on the deer count. You say the coastal. Here again, are the same characteristics counted in as, let's say, the sea otter? When I say that, because the deer, if you take that coastal count at high tide, it's probably going to be 10 percent of what it is at extreme low tide.

MR. STOVALL: We do keep track of all those conditions, similar conditions.

A SPEAKER: You guys got a pretty bad sea otter problem too?

MR. OLSEN: Good or bad, depends on which side of the fence you are on.

A SPEAKER: You guys have got too many of them, right?

MR. OLSEN: I don't think too many. I wouldn't say that. I know my father was in the '50s on his vessel charged by the State for sea otter counts at different times. Although I do find it a little bit irritating of them getting in clam beds or whatnot. When there isn't food, they don't hang around.

A SPEAKER: I'm on a Sea Otter Commission, and I know that comes up a lot. Have you ever told -- what village were you from?

MR. OLSEN: Me?

MR. LUKIN: Port Lions.

A SPEAKER: Anybody there ever contacted the Sea Otter Commission and let them know what you just told them about using all the shellfish and all that?

MR. LUKIN: We've been aware of it for quite a while.

A SPEAKER: Has anybody contacted a Sea Otter Commission and let them know that? They'd love to have that kind of information.

MR. LUKIN: Not to my knowledge.

MR. OLSEN: I do keep in touch with the Sea Otter Commission, even though I'm not part of it. It's a lot of information comes through our tribal council, and just for my own sake I try to keep in touch. I've noticed all my life in Kodiak the majority of the sea otter have always been on the northwest side. You find them spotty here and there to the east side, to the south end, but why, I can't tell you. But to this day, it seems to be -- hasn't changed much.

Anymore on the Kodiak National Wildlife Refuge?

Hearing none, what did we -- we have nobody here from ADF&G, do we? Is there anything that anybody would like to -- questions they would like brought to ADF&G?

MR. LUKIN: A concern I have is the fact that -- it was last year. I'm not sure if it was last summer. They have -- the commercial fisheries is dragging for sole or something. I really don't agree with that. I think that's taking a -- I've seen one

dragger in sight there. I couldn't believe this guy was allowed to go in the bay in our low crab bed and drag for sole. God knows what else he brought up in there. There's absolutely no crab to eat in that bay. It's pretty sad. The last area I fished, we were getting three, four, sometimes five or eight Dungeness. This is talking about in the winter months. I haven't seen a Dungeness since -- gee, I don't know. It's terrible. There's none to eat there. Four pots in there a year ago in the summer months and -- either four or six, maybe even eight pots in there. I don't think I got four crab out of all of that.

MR. EVERITT: Was he way up in the way there?

MR. LUKIN: He was way up there.

MR. CRATTY: We have that same problem. There were only two areas left on Kodiak Islands for draggers, the Marmot Bay, and the southern, Sitkalidak section of that. They're dragging up to a port.

MR. OLSEN: On that subject, I think it is finally getting enough attention to show that -- not only suspicions, but actual counts on different species that they are finding the destruction by dragging, unfortunately. And, in fact, it has been addressed in the last year. We had the resolution -- or was it this year, resolution 9501 --

MR. CHRISTENSEN: Excuse me, Mr. Chair. Is that our area of jurisdiction?

MR. OLSEN: Is what our area of jurisdiction?

MR. CHRISTENSEN: What both Al and Ivan are talking about? That's not our area of jurisdiction. There's nothing we can do anything about that.

MR. OLSEN: What I'd like to address here is directly involved with this. When it does interfere with other species, yes, I think it is not only a concern just of subsistence but --

MR. CHRISTENSEN: If we can't -- I understand that. We can try and do something about it, but if we can't we should continue on rather than --

MR. OLSEN: As I say, this was a resolution for this council --

MR. CHRISTENSEN: Am I correct on this?

MR. KNAUER: That is not one of your areas of jurisdiction.

MR. OLSEN: I would like to at least get you informed about the letter as to resolution 9501 which, in fact, is about the draggers.

MR. CHRISTENSEN: We can't do anything about it anyway.

MR. OLSEN: Don't say can't. Here's the letter right here from the United States Department of Commerce. They are responding to us.

MR. CHRISTENSEN: Never say can't, but --

MR. OLSEN: I'm only trying to address it from our perspective, that we did address it to the people that have jurisdiction, and this is their response to it. And the basics -- they did recognize the same problems as we did. The only thing is that in our haste, we addressed factory trawlers. No one itself went ahead and addressed it as draggers straightforward.

MR. STOVALL: Mr. Chair, that is further down on the agenda. So if you want to just go ahead and move on to the Kodiak

Area Native Association and Aleutian Pribilof, we can continue that.

MR. OLSEN: Certainly agree. Certain things come to the table and we've discussed them.

Is there anything else that anybody would like to address to ADF&G on the council?

MR. LUKIN: The reason I brought up the draggers is because it was under Alaska Department of Fish and Game; and I'd just like to let you know that's why I brought it up. I feel it's a problem because we did -- we use crab, you know, quite regular in the wintertime. When it ain't there, it ain't there. You can't use it anymore. I don't want to point fingers at a dragger in the bay.

MR. STOVALL: Just for your information, Ivan, I'm getting a list of all these down, and I'll make a call to -- this particular call and let them know what we asked and try to get an answer to the question at the end of the meeting. Okay?

MR. OLSEN: I'm guessing we do not have any other questions that we'd like to address today. I see KANA down here. No representation from KANA or API, which then takes us down to the NARC petition.

Is there any question or anything dealing with the NARC petition? I have not had an update other than the petition itself as to where it stands. As far as I know, there has been no significant forward movement as to what's going to become of it at this point unless somebody else can further address it. Is anybody aware of what the NARC petition is?

MR. STOVALL: You might want to go ahead and read it for the record, under 7B.

MR. STOVALL: It's in 7, and it's past the envelopes that have the refuge maps before 8.

MR. OLSEN: I don't have it.

MR. STOVALL: Keep going. Go to where these little plastic parts are. Now go back -- that's right. Keep going in that direction -- keep going in the direction you're going to right now and you'll come to it.

There it is.

MR. OLSEN: At the last meeting I was given much more.

This petition was drafted by several entities, one of which was the Northwest Arctic Regional Council, to urge the federal government to manage subsistence on nonfederal land, private lands, et cetera. After some discussion, the Regional Advisory Council made a motion to support the petition. The justification for supporting the petition was to broaden the protection on subsistence lands that are not presently protected. The council felt that a certain subsistence jurisdiction will not harm eventual owners.

Does that make sense? Is there any question?

Hearing no discussion on that, I guess that takes us on to the residency requirement on the old business.

Residency requirement. During the spring meeting in Old Harbor, Alaska, February 14th, 15th, the Regional Advisory Council reviewed and commented on the eligibility requirement. Regional council voted. Following action was taken. This is on residency requirement. The residency requirement passed five for, zero against. The Regional Council, after discussion on the residency requirement, voted unanimously to support the option B of the briefing paper. Justification: Consistent with conserving healthy populations and accommodating customary and traditional uses.

What is the present residency? Isn't there one here?

MR. KNAUER: That's under State regulation. The board had never actually addressed that situation. So, an individual moving into an eligible rural community, if that were his or her primary place of residence, would be able to participate in the subsistence priority while only possessing a nonresident license. That's what this whole issue was about.

DR. MASON: There was no time period of residency. They could immediately begin participating in subsistence harvesting.

MR. KNAUER: The board will make a decision on the -- on this issue this winter.

MR. OLSEN: Well, I guess no question on that.

Brings us to Kenai C & T update. Rachel.

DR. MASON: Thank you, Mr. Chairman. I'm going to be covering some ground that you already covered, Mr. Chairman, in your discussion of the board meetings, but this is just to bring you up to date on what has happened with the Kenai C & T. Just to backtrack even a little further and particularly for the new members of the council, I'll just review the fact that when the Federal Subsistence Board Management Program took over from the State, they provisionally adopted all the customary use eligible traditions that the State had already on the books; but as they did that they realized that statewide the list of C & T determinations was very incomplete and that a lot of local residents were dissatisfied with the ones that were already there. So, they decided to go around the state region by region, and for efficiency's sake they wanted to take all the large land mammals at a time in one region or another. And they listed regions around the state, and they started with the Kenai C & T. There had been a lot of requests for it, and so they probably picked the most controversial region of the whole state to start out with. As you also probably know, the board has now adopted a new way of looking at C & T, which will not be region by region, but on individual requests, species by species. But since they had already gotten so far underway with the Kenai C & T, they decided to just keep the momentum of that one and continue with that. So, there -- at the annual meeting in April, '95, as Mark told you already, the Federal Subsistence Board endorsed the recommendation of the Southcentral Regional Council saying that the rural communities of Whittier, Hope, Cooper Landing, Ninilchik, Nanwalek, Seldovia, and Port Graham should receive customary traditional use eligibility under federal subsistence regulations. The regional council had already gone through each of those communities to consider which ones would be eligible to harvest black bear, brown bear, caribou, moose, sheep, and goat. They were only looking at Units 7 and 15. Those are the two units that are on the Kenai Peninsula. The Southcentral Regional Council had already a bull moose season, which would open 10 days in advance of the State sport hunting on August 10th. The board, instead of any bull season, they recommended antler restrictions. In June, there were public meetings held around the Kenai Peninsula. At those meetings there were a lot of considerations given to giving customary use issues to some areas, but not others. A lot of problems came not only from the C & T, but from the rural determinations that had been done by the subsistence board before the council came into existence. The council had -- they could only give C & T to communities that had already been declared rural, and a lot of the public's problem with the whole

process was with the rural determinations. In the July, 1995 meeting of the regional council, they reviewed the results of those public meetings and recommended deferring all C & T determinations for the communities of Hope, Cooper Landing, and Whittier. They also chose to defer C & T determinations for any species other than moose for Ninilchik, Port Graham, Nanwalek and Seldovia. And for those communities they kept a positive C & T determination for moose throughout Unit 15, and the council also recommended on August 10th to September 20th moose hunt with no antler restrictions in Unit 15.

The next day, also in July, the board met and they adopted a final rule that basically kept C & T in only 15B and 15C for moose. That was for four communities: Ninilchik, Seldovia, Port Graham and Nanwalek. And the board decided to defer C & T for unit 15A, and they also retained the spiked fork 15 inches antler. Subsequently, the Ninilchik Traditional Council filed a request for reconsideration to the board; and they also filed a complaint for declaratory relief, a motion for temporary restraining order, and a motion for preliminary injunction in federal district court. The Court ruled that it didn't have jurisdiction because the traditional council had exhausted the administrative remedies, meaning the request for reconsideration had not been yet -- come to its end, so it also denied the motion for reconsideration.

The Federal Subsistence Board and the Ninilchik Traditional Council came to a settlement whereby the Ninilchik Traditional Council would withdraw the motion in exchange for 20 moose hunts for tribal members in the Skilak Game Management area in 15A. Part of the settlement were the terms would not be precedent setting for the rest of the state. It ended up with one moose getting taken after all that. After the special hunt was over, that's what it ended up being.

The Southcentral Council has already met in this round of fall council meetings. At that meeting, they planned to take up further deliberation of the deferments that they had made on the other species in the other communities. What they ended up doing was instead of submitting a proposal that all of the Kenai Peninsula be declared rural -- and that does not do anything toward the C & T determinations -- but they deferred any further action on the C & T until they find out how the board is going to receive the proposed declaring all of it rural. So, that's where we are now with the Kenai C & T. And a little bit later in your agenda, I will be going -- talking with you about what you think the important issues are for C & T in your region given the new procedures for doing C & Ts.

MR. CHRISTENSEN: That sounds like fun.

MR. OLSEN: An old issue in itself. There was only one known moose taken on that hunt?

DR. MASON: Yeah. One reported moose under the conditions of the special hunt developed under the settlement.

MR. OLSEN: Why -- I can't remember, why is Homer being left out of this?

DR. MASON: Homer was not declared rural. There is a Homer rural area. The community of Homer was never determined rural.

MR. OLSEN: Have they accepted that?

DR. MASON: No. That's part of what the council is floating to the board is everything on the Kenai Peninsula will be considered rural.

MR. OLSEN: You mentioned about the C & T, could you

be more specific on the --

DR. MASON: There's a backlog of C & T requests that were given to the board in past years, and this was -- while the board was still going to be considering C & T region by region, these were requests species by species, and so the people that have submitted those -- and they came in between 1990 and '95 -- they were all given letters saying we're not considering those kind of requests yet, but we will -- if we ever do, we will make sure to keep it on the books. So, we have that list and we have a list of the ones that apply to your region.

What we need to do at this meeting is to prioritize the issues, and we could do it in one of several ways. We could go through the whole list, and the council could state -- based on their expertise of their own areas -- what is an important issue and what isn't. Or the staff can actually do the work of putting together the proposals if the council wants to just identify what are the important issues.

MR. OLSEN: I guess I find it -- I shouldn't find it -- but these are C & T proposals that have basically been tabled, backlogged --

DR. MASON: Yes. They have not been addressed.

MR. OLSEN: Have not been addressed, right. So, I'm trying to find out -- those are still valid proposals, C & T?

DR. MASON: Yes, they are. Some of them request the same things. I can tell you right now, the two major issues that came out of the Kodiak area ones are elk and brown bear. So, there may be eight or nine requests that just have to do with elk. So, this council, if they determine that that's an important issue, can consolidate those requests and make it into just one proposal based on what you think is important. The same with the brown bear. There's been, you know, a lot of requests about the same species.

MR. OLSEN: If I recollect right, when we talked about this backlog on C & T proposals, these are different ones that have come in at different times, different years, because nothing was done. No action was taken.

DR. MASON: Yes.

MR. OLSEN: People kept on moving ahead with proposals trying to address the same basic consensus that they would like a C & T there on an elk hunt.

DR. MASON: Yes. At the time they submitted these proposals, the board was not considering them in that manner. That's why they were put into a backlog. They just got a letter saying we're not doing it that way now.

MR. STOVALL: Mark --

MR. OLSEN: Yes.

MR. STOVALL: -- to keep it -- that's going to be one of the first items of new business that we're going to get to.

MR. CRATTY: I wanted to ask you a question. Why did they go through all that problems and there was only one person that went and did the hunt? Was the weather bad? Where they selected the area, was it too hard to get into?

DR. MASON: There were probably a lot of factors in there. It's pretty certain that it wasn't just one person that did the hunting because all of the permits were distributed. They simply did not have 100 percent success rate.

MR. CRATTY: The game wasn't there? The moose weren't

there?

DR. MASON: I don't know. Maybe Robert can address that.

MR. WILLIS: I can tell you that, Al. The area of special hunts called for the Skilak area; those have road access. The -- it's fairly thick, difficult to hunt, it does have approximately 200 moose in there and on the other hand, it -- you have to get out in conditions and you find a lot of the people who got the permits were elders, the older people in the Ninilchik tribe, and they just didn't put in a lot of effort. Our refuge people say that after the hunt was over, that they counted only two guys, both hunting together, they were younger guys; and I think that was the main factor, you have to hunt hard in that area to find moose. Another factor was that because it's in a viewing area that there's a restriction on how close to the roads and trails that you can hunt. You can't drive the road with your loaded gun on the seat beside you and look for moose. You can walk down a trail or hunt around the campground. That was another thing. I think it was a quarter mile. You had to be a mile away from the road. The result was simply there wasn't a lot taken.

MR. STOVALL: Did weather play any factor?

MR. WILLIS: Generally it was a very poor hunting year all over in that area. It was warm. It was raining. And also we had a really bad winter in that area last year. We lost almost the entire camp. So, there were very few yearling bulls available for harvest this year. Those were also factors. On the other hand, other people who hunted in other areas, not the subsistence hunters, were successful to a considerably greater degree; and so I don't think weather was the deciding factor. Based on what I read, the personnel who were patrolling this area on a regular basis said there wasn't a big effort.

A SPEAKER: You guys get moose on Kodiak?

MR. OLSEN: Pardon me?

A SPEAKER: I was wondering if there was moose on Kodiak.

MR. OLSEN: Not to my knowledge.

MR. CHRISTENSEN: In '89 there was.

MR. OLSEN: I guess at this time, we can continue going here. Yes, we can finish off here with the C & T as far as you wanted to prioritize or know what the council feels about the proposals at our table at this time.

DR. MASON: Mr. Chairman, that prioritizing is coming up under new business. I have completed my update.

MR. OLSEN: Okay. Was there any questions that anybody had of either Rachel or Robert on C & T updates?

Hearing none, I guess we'll move on to national management --

MR. CHRISTENSEN: Mr. Chairman, I was wondering about the C & Ts, on the break we talked about that, it's up in the air when the definitions of C & Ts are going to be resolved.

DR. MASON: I guess so.

MR. CHRISTENSEN: There's no way that we could resolve any of those here?

DR. MASON: The council can make recommendations. As of now, there --

MR. CHRISTENSEN: Excuse me. Can we make anymore

recommendations than we've already made that's going to make anymore difference because we've -- we've made recommendations, you know, and -- in the meetings past.

DR. MASON: They're still using the eight factors, if that's what you're talking about; but that can change. Maybe Bill has something he can add.

MR. KNAUER: Essentially, what's being asked -- you've got all -- there are all of these past proposals that are in limbo and they're in limbo for various reasons. The primary one is the board never had a process in place to deal with it.

MR. OLSEN: The C & T itself?

MR. KNAUER: Right. There is a process in place now.

But there are something like 200 backlogged. What the board is asking the councils to do is take a look at those. They've also asked the coordinators to contact the originators in many cases and find out, No. 1, which of those proposals are still valid. We know some of them aren't because some of them may have been superseded by events. For example, there was one that asks for C & T for moose for ceremonial purposes. Well, first off, it really wasn't a C & T proposal, but, secondly, it's already in our regulations that moose can be -- wildlife can be taken for ceremonial purposes. The board can grant a request for an animal for a potlatch. Okay?

MR. CHRISTENSEN: If I may intercede, just to speed things up. I was wondering, now, on the C & Ts that's on our agenda right here, is it going to help us any if we try to hash out anything on these C & Ts? I realize, like you say, there's at least 200 definitions of what a C & T is --

DR. MASON: No.

MR. OLSEN: No, there's about 200 proposals addressing C & Ts --

MR. KNAUER: 200 proposals, not definitions. Essentially, to help you understand, your annual regulations say when, what -- excuse me. When, how many, and how critters can be taken. Okay. C & T says who, what, and where. It might say deer in Unit 8 by residents of Unit 8. That's sort of the difference. In the prioritization, what the board is asking is for the council to look at the backlog of proposals for your region and is it possible to consolidate some of them? Are some of them superseded and probably you'd recommend that they be dropped or that they not be dealt with at this time because they are of a lower priority or something that the board is not dealing with right now. Essentially, like Southeastern, they went through each one and said, okay, we feel that this one's important, so it should be dealt with now.

MR. CHRISTENSEN: Mr. Chair --

MR. OLSEN: We should keep in mind too, that is under new business, past C & T requests. If we would like to keep going, that's the time that we could go ahead and cover this in a short period. I was just requesting if there's any other questions as to the update that was given.

At any rate, that takes us to the National Marine Fisheries response to resolution 95-01.

Mr. Willis.

MR. WILLIS: Mr. Chair, you all have in your booklets a copy of this letter from the National Marine Fisheries Service down in Juneau, which is a response to a letter that was sent from the council last year. And it's a two-page letter, so I don't want to go

through it in great detail. We talked about it briefly earlier. Mostly what it deals with is to let you know what the National Marine Fisheries Service currently does in the way of regulating drag fishing and what are some of the things that they're looking at as far as additional regulations that might be needed to protect marine resources. Probably the most salient point here is that in the last paragraph it says that the National Marine Fishery Service and the North Pacific Fisheries Management Council is currently considering several proposals to reduce bycatch, and some of the things they're looking at are mandatory retention for some of the groundfish fisheries, and providing incentives to fishermen. They have a council meeting, had one the month of September. We haven't heard anything from the council meeting. We don't have an update on that meeting to provide. So, that's about all they have on that 95-01 resolution.

MR. OLSEN: I guess what I gather in this letter of response, that council upon this request stated factory trawlers and did not specify trawler fishermen. And as far as -- that's the way I interpret it that they are now looking for the support of factory trawlers, but of trawlers, not specifically pinpointing.

MR. WILLIS: My analysis of this letter is that they are -- not only factory trawlers, but also the other types of trawlers also. That was one of the things they were pulling out. It's mostly informational to let you know what they're currently doing and what their procedures are, who does the investigation, and what type of regulation is currently in place and what type of regulation is being considered.

MR. OLSEN: So, I guess it would be in order here to find out from the council if they support this amendment. I mean, we haven't made an amendment yet. I guess what we're looking for is to amend it to all trawler fisheries and not just factory trawlers. Is that a correct assumption in your mind?

MR. STOVALL: I think this letter -- it's just informational. There's no action that you have to do on it in new business. If you want to bring it back up to write a different letter, then that probably would be the time to do it underneath other business to come before the council.

MR. OLSEN: Is there any questions there regarding this informational letter then from National Marine Fisheries?

Next on the agenda would be under F, designated hunter permitting system --

MR. CHRISTENSEN: Excuse me, Mr. Chair. Are we going to make a formal recommendation?

MR. OLSEN: As Robert says, this is an informational letter. Under new business we can come back to it and request a letter to be basically amended to include all drag operations.

MR. CHRISTENSEN: We're not going to take no action on it right now?

MR. OLSEN: Not at the moment.

Designated hunter permitting system on Unit 8.

MR. STOVALL: Yes, I handed to all council members a letter that gives an update on the present designated hunter system.

In your package you'll see a copy of what the hunter permits look like, and some information on the conditions of the permit or what you have in your booklet is the front and back side of the permit that is presently being used to allow residents of -- subsistence residents to harvest for other subsistence residents. The update is

informational, and I'll just read the third paragraph of it which gives the number of permits that have been issued to date, and in the various areas that they've been issued.

As of October 2nd, 1995, approximately 70 to 80 permits had been issued for the Tongass National Forest Lands in Southeast Alaska, Units 1 through 4, and a total of 8 permits have been issued for the Kodiak National Wildlife Refuge lands in Unit 8.

The moose season in Unit 5 is to not open until October 15th, and no information was available for that.

The permits will probably -- there will probably be more issuing of permits as the hunting season goes along. It's still early yet, and that's recognized in my contacts with the villages that people really haven't started hunting yet. When they do start hunting, then we expect more permits to be issued and/or used by subsistence users. That's from -- I can tell you that in Kodiak all villages have permits available and there's a listing of them that I can give to any of the council members if they would like that listing of who is a contact person for their respective villages or any respective villages. For the Kodiak system, they can be obtained at the Kodiak Refuge office by myself and other law enforcement officers.

MR. OLSEN: To obtain a designated hunter permit, the person applying, do they have to have with them a license?

MR. STOVALL: They have to have a State-issued hunting license before they can get --

MR. OLSEN: Is it just -- for just the hunter or for the person it's being hunted for?

MR. STOVALL: In order to get the permit, they have to show their hunting license. On the permit, they are supposed to put in the hunting license for the person that they're hunting for and their tags. In the field they need to have their tags with them that they're hunting for, and it's only to be used on federal lands.

MR. CRATTY: Robert, I was going to say, I've got an aunt that's 68 years old; she doesn't get a hunting license. Where do you go about getting one --

MR. CHRISTENSEN: Excuse me, Mr. Chair, she can get a -- not a longevity, but a senior -- she can get a senior license which is automatically -- you can get automatically permits every year, and she doesn't even have to get a yearly license because she gets a seniority license, and it's just the same thing as everything else. It's just that the person that hunts for her also has to have a valid license, and they -- and they just have to have her tickets, her deer tickets or whatever.

MR. STOVALL: In their possession.

MR. CHRISTENSEN: In their possession. And you have two limits in possession, and after your two limits are over, you can go out and you can get two more for somebody else.

MR. CRATTY: Do they provide the deer license to women?

MR. STOVALL: If you are hunting in Old Harbor, where would you get your deer tags from?

MR. CRATTY: I get mine from Kodiak.

MR. STOVALL: That's where you get your deer tags for these folks too.

MR. CHRISTENSEN: Same kind of a license --

MR. CRATTY: They just have to take your license.

MR. CHRISTENSEN: They have the same exact license as you. It's just that you're just hunting for them is all.

MR. CRATTY: I was trying to see if there was a way they could get the tags in Old Harbor.

MR. CHRISTENSEN: They can be out anywhere.

MR. STOVALL: That's a State question.

MR. KNAUER: Is there a grocery in Old Harbor?

MR. CRATTY: Uh-huh.

MR. KNAUER: They probably have the licenses there.

MR. CRATTY: No, there's one person that sells licenses. I'm sure they don't issue the tags. They just sell hunting licenses.

MR. KNAUER: If they sell the hunting licenses, they're going to have the tags. That's part of the process. If it's a license outlet, they'll have the tags.

MR. OLSEN: There is still an unanswered question when I did my survey as far as the person being hunted for having the license, not all communities have availability unless that has just changed this year. So, that is still an obstacle. Like I said, who in their right mind is going to pay \$200 to come to Kodiak to buy a license? It's just not going to happen.

MR. STOVALL: Can I give you an example of what Akhiok did? Akhiok is one of the villages that you're talking about. They actually took the time to call up the license vendors in Kodiak. The license vendors agreed to send them applications for people to purchase licenses. They were to then send them back and they will receive their licenses. And then they could get tags. So, there is a way to do it. But for those villages that don't have those vendors available for them, there are ways to do it.

MR. OLSEN: Is that acceptable for me if I was to mail-order a license?

MR. STOVALL: Most likely.

MR. OLSEN: I didn't know that was.

MR. STOVALL: I shouldn't say that, because you have the availability to get to a licensed vendor. I'm sure that the State allows a certain amount of leeway in trying to get licenses to people who want them.

MR. OLSEN: I guess I'm just using a hypothetical question. If I was in Akhiok, and I wanted one to go hunting, would they accept my application by fax or mail?

MR. STOVALL: I know they were going to do it in bulk. I'm not sure exactly how that would work. I can't say that they would be available to do that on an individual basis.

MR. CHRISTENSEN: Mr. Chair --

MR. OLSEN: Yes.

MR. CHRISTENSEN: -- one thing I'd like to mention, this might be something that might come out of this meeting. I know that there hasn't been a lot of people from King Cove that's actually been here, but the people that have been here have been very, very interested, and one has been Rick, and he mentioned designated hunters of ducks, migratory birds, and I was wondering if maybe we might be able to help him work up a proposal where he could get some designated hunters on ducks.

MR. OLSEN: We have no jurisdiction. We have absolutely no jurisdiction. We might be able to do it as a private citizen, but not as a council.

MR. CHRISTENSEN: You can't do that at all?

MR. STOVALL: No.

MR. CHRISTENSEN: Not even under any kind of subsistence law you can't do that?

MR. WILLIS: No.

MR. STOVALL: They would have to go directly to the migratory bird office in Anchorage, I do believe -- yeah, in Anchorage, and ask them that type of question.

MR. CHRISTENSEN: Remember this morning when he was asking that question, I was just wondering about that. So, maybe we -- well, I guess we could probably just try and maybe make it clear to him -- that was one of his concerns along with -- before he left, he was talking about that and also seals and --

MR. KNAUER: The regulations relating to migratory birds are established, essentially, by the flyways. In other words, the flyway is the group of states and territories --

MR. CHRISTENSEN: I understand that.

MR. KNAUER: Then from those, each individual state can pick within that framework.

MR. CHRISTENSEN: I was just wondering.

MR. KNAUER: We don't have no jurisdiction, and there is no mechanism for any proposal submitted to this board to enter into that system.

MR. CHRISTENSEN: Well, I was wishing that we could have hopefully made that clear to Rick at the time when he was here; but he wasn't here that long.

MR. LUKIN: You know, being new on this board --

MR. OLSEN: Council.

MR. LUKIN: Excuse me, council. Just thinking in the past of what subsistence meant to me, what it means to me and it meant to my parents and grandparents. Last season -- and it still goes by the season -- my feelings are today I don't see a big turnout of people wanting to get involved. The fact that there's so many different roofs that things are under, different species are under, which I feel is wrong. The old-timers had it set that, see, this is what's in season, this is what we target for subsistence living, and there's so -- it's to a point today that there is so many different permits and so many different people that we have to -- and laws that we have to abide by that it kind of makes it ridiculous for, the common user. And my feelings are that if this continues to be complicated and get more complicated, you're going to see the subsistence user go out and avoid buying licenses and permits and going back to their traditional ways which meant in the past that they didn't use or didn't have to go through all the bureaucratic business that we have or are asked to go through today.

MR. OLSEN: I agree. To me the only true definition of subsistence is the taking of provisions without law, without prosecution. To me, today's definition of subsistence -- subsistence was derived from, but only as to translated in 1995. Nevertheless, we must continue to strive to bring it back to that stage, if possible.

MR. KNAUER: Mr. Chairman, I think all of you in this council or many of the others that these councils and this program is making headway in trying to make things easier for the rural user. You've seen it, things under the State program with their proxy system were very, very difficult, and now we've got at least a

designated hunter system and seems to be, from what I've heard and understand from hearing this region and also in Southeast, seems to be working pretty well. We don't have, you know, the final results on it yet. So, there is headway being made. I certainly can empathize with you about how things are split up. As we know, there are a lot of different interests that are concerned about each thing.

If you look at fish, you know, you've got National Marine Fisheries Service involved, you've got the State involved, you've got commercial interests, you've got different countries involved. So, you know, I can certainly relate to the situation because you've got different species that you as a community may have depended on the entire group of species at different parts of the year and before some of these various interests it was very easy. And now with more people wanting in, there needs to be some sort of regulation to protect your interests. It's very difficult. We appreciate your willingness to be involved in this to try and help that along.

MR. OLSEN: When I look at it as a transitional period that the new culture depends on statistics whereas prior the subsistence issue was, as I explained, the taking of food without law, without prosecution. There's absolutely no statistics on it, so we are trying to bring back testimony by the users, what was -- I feel that's what I'm trying to advocate from the elders, from those that have used the subsistence lifestyle and bring it into an acceptable walk.

Is there anything more here on our designated --

MR. CHRISTENSEN: I'd also like to say, too, that every trip that I've made to these meetings, I'd like to think that we didn't do it all in vain, you know. You know, I believe we've made quite a bit of headway actually over the past, what, three years we've been doing this.

MR. EVERITT: Two years.

MR. CHRISTENSEN: I believe that we've made some headway, and I think that we're well on our way to working out something for our children or grandchildren and then after that. That's one thing I'd like to say. I wouldn't like to say that we're doing this for nothing. I hope not, because it seems like it's very slow, but we are doing something, and I'd like to encourage more participation.

MR. OLSEN: Do we have anymore on designated hunter?

MR. CRATTY: I was going to talk to Bill about this designated hunter. On like this thing we have, this council hasn't addressed anything to the people about what's going on with the subsistence use of birds. Can we address that today on the subsistence of birds, or do they already know what's going on?

MR. KNAUER: The people that are involved in the protocol, changing protocol amendment are aware of the use of waterfowl in the spring they're aware of the practices of eggging for different species. It's those very concerns and systems that are driving the effort to change the treaty, to make it legal. And it does seem to be making progress. It's very slow, but it is -- they are proceeding and things are looking pretty good. There may be some brochures back there. I'll check on the table. I'll pass those out. It tells you a bit about it. Those are fairly new.

MR. STOVALL: How many of these do we have? Do we have enough to leave for the community to look at?

MR. KNAUER: I think that was it. I may have another

one in here.

MR. OLSEN: I think this would make a project, so we can move on here. Do we have anything else concerning the designated hunter?

Hearing none, I'd like to go on to the additional membership on regional councils.

Mr. Stovall.

MR. STOVALL: I'm just going to make two brief points, and Bill will help me out if I misspeak. This was on the old business and what has happened was that our regional advisory council is already on record with the Federal Subsistence Board to have an increase of two members preferably from the Pribilof Aleutian island areas. What the Federal Subsistence Board wants is all of the rest of the regional councils to come up with something similar to provide input as to whether they want additional membership, and then they will take that input and discuss it at their November meeting. And because we're already on record, we don't have to do anything else on this particular subject.

MR. OLSEN: Wait?

MR. STOVALL: Yes. That's all I have.

MR. OLSEN: You said you had a couple.

MR. STOVALL: The second thing I was going to mention is that the Federal Subsistence Board will bring this additional particular membership idea up at their November meeting. That's all I have.

MR. CHRISTENSEN: Mr. Chair, I'd like to mention too for the sake of our single audience here is that the two members that we're talking about was specifically for down in this area.

A SPEAKER: We have people from here --

MR. CHRISTENSEN: Both you and Rick expressed concern about not having enough representation, and the extra two people that we were talking about, we specifically were talking about people from down in this area, but not out of where we come from, because we feel that we're well represented.

A SPEAKER: It looks like you are.

MR. OLSEN: Recognizing that the council is directly off the island, we felt it only fair that there needs to be more representation for the square miles that's being covered.

A SPEAKER: I think it would be a great idea. Like one of us. I don't know how -- I don't know how --

MR. OLSEN: A letter of support might help a little bit.

A SPEAKER: I don't know how Marvin Mack feels about it, but he's really into this stuff. Like I say, he's tagging for sea otter and all that. So, if you guys get a chance, if you meet him, you know, or I can call him tonight, he might be in tonight, he's out fishing. Maybe he can be here tomorrow and you can bring it up.

MR. OLSEN: As I have mentioned, the council has no decision-making as to any appointments, but only to help you that if you do have some people interested in serving on the council, any support for that person from any village, tribal or otherwise, I'm certain it doesn't go unnoticed.

Okay. As I look at this -- I'd just like to hear back from council here today -- as I look at it, we don't have a whole lot yet to go through. We have tomorrow to complete this. I was hoping

that maybe if we left a little bit for tomorrow, we might get a little bit more feedback from the community. That's my hopes. What's the wish of the council or otherwise?

MR. STOVALL: May I make a suggestion? The next item that you're coming to, of course, is information exchange, staff and public. Maybe you might want to skip over that until tomorrow. Possibly more public or staff will be here. And go back to the annual report, and the regional council recruitment, and you'll be further along on the schedule and have plenty of time tomorrow morning to start the discussion about regional C & T. Give regional council members a chance to read over the information in the booklet about that and be fresh in your minds for tomorrow.

MR. OLSEN: Do we have copies of all the proposals that have been backlogged, tabled?

DR. MASON: You should, Mr. Chairman. There should be a listing in every council member's book, a listing of the backlog of the C & T requests. As I indicated to you before, they basically boil down to elk and brown bear proposals.

MR. OLSEN: I see validity to Mr. Stovall's request. Is there any objection?

MR. EVERITT: What was this?

MR. OLSEN: I see validity to Mr. Stovall's requests. Do I hear any objection?

Hearing none, I guess we can go ahead and go on to -- on the new business, B, the annual report.

MR. STOVALL: Okay. In your packets there's a last year's annual report that was submitted. That's the first item, that's the first stapled area, and the second stapled area is a recommendation on how you can change your annual report. I guess you should go ahead and look it over, make sure it's accurate to your -- to the annual report itself first, and then there's -- there's a desire, I think, to try and downsize the report and make it more issue oriented so that you're discussing more of the issues annually for your particular region, and that's included in the report and has more of a -- there's certain parts of the report that have to be written, but you can put more emphasis on certain parts of those parts, and I think they'd -- the idea would be to try to get more issue oriented with the annual report instead of being repetitive with the statistics of use. And hopefully the rest of the staff can help me out here. Does that sound right?

MR. KNAUER: You're doing fine.

MR. STOVALL: Okay. And that's all I have -- that's basically what I was going to say about the report. The second part of -- the second thing that's in here is a response to a letter from the chair of the Yukon Kuskokwim Regional Council and a suggestion from the acting chair of the Federal Subsistence Board on how the report could be written, for your information, if you wanted to change it to that type of format.

MR. OLSEN: I guess I still see the same thing here of every time we look at an identification of current anticipated subsistence use of fish and wildlife. We have no jurisdiction on navigable waters which fish are in. We keep coming up over and over and over of fish and wildlife, but we have no authority with fish. That kind of creates a little bit of confusion, at best.

MR. STOVALL: Mr. Chairman, a suggestion would be to write that down as an issue so that the Federal Subsistence Board is

aware of it and write it in such a way in your report that you want to emphasize that the Kodiak Aleutians is a marine environment and a lot of subsistence use is coming from those sources.

MR. OLSEN: I guess I'm taking it as mandating a report on usage of fishing and wildlife on subsistence --

MR. KNAUER: I might point out that the whole issue of the report and all the aspects are an optional thing. You may do this and you may report on these aspects. It's not that you have to report on everything that's mentioned there. So, the idea is to tailor it to the region, to the council, and to the issues that are most appropriate. So, you know, I think what Robert said is a very important issue out here, that much of the subsistence resource -- that what this region depends upon is fish and you feel it is important and you feel you should be involved. I think that is a reasonable thing to include in your annual report.

MR. OLSEN: As I look at it now, I know it's happened so much in the past. Because of the gray area, we are out commercial fishing yet we're taking fish home whether it's personal use, C & T, subsistence, so to cover all bases, we catch it on a commercial boat and we take it home, whereas documentarywise, it's not a commercial fish because we haven't sold it. So, it certainly entails a lot more than just meets the eye; and, yes, that's a very good idea. I think it should be addressed as so.

DR. MASON: Mr. Chairman, I wanted to endorse what you're saying. Just to say that the annual report is not a reporting on -- dividing into different regulatory agencies managing -- going back to what Ivan had said before -- the way the subsistence user thinks about subsistence is of all the resources maybe by season or all together, so this report would be more based on the life of the subsistence user, what's going on in your regions, rather than based on who manages what. But it could contain a statement of your dissatisfaction with the way things are divided up into different regulatory agencies.

MR. OLSEN: And I certainly think that if one was to look back and look at the consumption per person and look at how many subsistence permits have been issued, you're going to find something different.

DR. MASON: Of course, it's going to be part fish. It's hard to separate out what the different resources are.

MR. OLSEN: Here again, it brings back again people are afraid to report these things for fear of being prosecuted, and that is probably the biggest hurdle that we are trying to work with.

Here again, as we talked about, as you thought we should look at it to confirm that on the record I think it takes more than a few minutes to digest certain aspects of this. Say, "Yes, it's okay; no, it's not" to satisfy it. It's a bigger decision to make.

MR. STOVALL: No, I would -- what I would do is review it and determine what type of annual report you may want to have. I think that's the primary --

MR. OLSEN: See what is progress now before we make changes. I guess that's the point I'm trying to make.

MR. STOVALL: I would guess that this is what this report -- this report as it stands now is a base. And if you want to change the base, you want to discuss how you want to do that.

MR. OLSEN: Right. So, also in retrospect, these here

came in for the meeting. I'm saying that it's a lot to digest, especially to have the effective feedback. I understand and I agree with it, but to make a comment, I think, would be premature, personally speaking, myself.

MR. STOVALL: All right.

What is the wish of the council on addressing the annual report? Do you want to revisit that?

MR. CHRISTENSEN: I read the annual report.

MR. OLSEN: As recommendations, I guess we can look at that -- these changes as time allows, I guess.

MR. STOVALL: May I ask a question of Bill? Is there a time frame for the annual report when it needs to be done?

MR. KNAUER: It should be submitted by the 15th of November.

MR. STOVALL: 15th of November. So, you do have some time.

MR. STOVALL: The report as it sits here is actually last year's report, and we'll be putting together a new one this year?

MR. KNAUER: That's correct.

MR. OLSEN: Then I guess it would be fair at this time to ask the council are they in favor of more dialogue versus statistics?

MR. EVERITT: Mr. Chairman, I'd like to ask the question, where does this annual report go and what significance is it to whoever we mail it to? Is it just put on a stack, or is it something that is reviewed by some people who say this is an important fact or --

MR. CHRISTENSEN: It's a record.

MR. OLSEN: Goes in the file?

MR. KNAUER: There was some discussion at the last board meeting, executive session of the last board meeting about this, and the board is concerned about this and will be -- each member of the board and the chair of the board will be reading these reports. The reports go to the board, who is acting for the Secretary. So, they would be addressed to the chair of the Federal Subsistence Board. And thus far, you know -- I don't have any specific example where I can say, yes, this council reported on this issue and it made a decision and the board, you know, looked at it and said, yeah, this is the way we should do it, but they are good places to highlight issues, concerns, anticipated problems, and things like that.

MR. OLSEN: As I see it, not to mention anything else, but if nothing else, I feel this is our way of expressing the credibility or discredibility of the council.

MR. LUKIN: Me, myself, I always believed in tradition and things of -- you know, just the way they were in the past. I personally see them carried that way instead of bucking the tide. And I just can't help but think that the Seminole Indians when it comes to some of these issues, that this is our way of living. They got that name, they were given that name by the American people, which is called a renegade. My feelings, by no means were these people renegades. I felt they were forced or pushed out of their areas or way of life and pushed around. And personally, I feel that when we are as -- we can't help what we are, we are what we are, and if it's tradition that we -- some of us live by, I feel we should

have the right to live by tradition, and I would like to see maybe something on those lines put in the annual report.

MR. CHRISTENSEN: Mr. Chair, I was wondering, Tom was asking what was the purpose for the annual report. Is that what I understood --

MR. EVERITT: I just wanted to hear who it went to, how important is it for us to dwell on. Is it something we need to make sure that we should communicate some things? Is it read by someone? I wanted to know who.

MR. CHRISTENSEN: It's not necessarily who, but as far as the annual report, don't you think that it should be just there as a matter of record for what we're -- for what we're doing?

MR. EVERITT: You're thinking of record. Records of our meetings, what we talked about. I just wanted to know specifically, annual report --

MR. CHRISTENSEN: Our record is there open for anybody, the public, anybody.

MR. EVERITT: I just wanted to know where it went. When we did one, who received that and who read it, that was the question, just so we would know.

MR. OLSEN: Like I had mentioned, I feel it's a matter of report of credibility, of discredibility depending on what they're looking for.

MR. CHRISTENSEN: I think it just goes as a matter of record open to the public, and -- I don't know, Anchorage.

MR. EVERITT: The board members read it?

MR. KNAUER: There has been some problems in the past that was viewed as a closed-loop-type situation where it was the coordinator had more input into the development of the annual report than the council did and then most of you are familiar with some sort of organization or governmental entity where the lowest person with the most knowledge prepares a draft answer and it's signed by the top personnel. And in this case, it was, again, the regional coordinator that had the most knowledge. It was viewed as a sort of closed loop, and some of the reports were read and some of them weren't. The board has made a commitment to be more directly involved, to read them. They will have more weight. That is not to say that the other ones were not of value; they were. I think they helped a council to focus its concerns and highlight them. It helped maybe the coordinator put a council spin on the program, trying to help direct the program the way they wished to see it, at least in their region; but my feeling is that there is a strong commitment by the Chair and the board to be more directly involved in the examination, review of the issues that are presented; and so far the councils have made more of a commitment to maybe get away from some of the statistics and deal with more of the quality issues that concern themselves.

DR. MASON: Mr. Chairman, what Bill was indirectly saying about the closed loop is that the coordinator was also writing the responses to it. Beyond that, I think it is a useful exercise because -- not only because the board does see it, whether they draft the response or not, and they are aware of the issues, but it makes everyone aware of what the most -- the biggest issues of concern are to the council, and on the last page of this particular annual report, the -- there's just a list of all the things that came up during the meeting, and so I think that it's useful if only for that purpose, to bring together all the things that were of concern.

MR. OLSEN: You might say a tracking, where we've been, where we're going.

DR. MASON: And to see whether anything has been done about them yet.

MR. STOVALL: I might add -- I guess I would probably put those issues and concerns probably in the front of the document, let the tables sit in the back of the document. The first thing that the federal board members read is the issues and concerns for that particular council, and I also would probably add to those issues and concerns, especially seeing how I was looking at what was done last year. Maybe what was done last year was issues, concerns from the previous year. Whether an action was taken on it, what was done, letters written, responses, so on and so forth. And then a list of the new issues and concerns for this year. And then the tables at the end which -- tables are outdated, basically, until you get more information about the uses. The old tables. So, they're not as important, I think, as the issues and concerns of each of the councils. It might be such that you might want to ask all the council members what issues and concerns they might want to have included, either now or at some time being told later, whatever you want to do, and then so they can be included into the annual report.

MR. OLSEN: And you are at this time documenting our concerns such as we had spoken of the fish side --

MR. STOVALL: I'm trying to do that. I'm missing quite a bit. It might be better for me to have the opportunity to write them all down at one point in time during this meeting. If we can include that as part of our agenda for -- as part of our agenda.

MR. OLSEN: Would there be a problem of trying to go over them with you now?

MR. STOVALL: We can do it now. It's whatever your pleasure is.

MR. CRATTY: Getting back to what we were talking to Bill about on the subsistence issues, can we relate to them about the seagull eggs and the birds?

MR. OLSEN: Absolutely.

MR. CRATTY: The sea lions?

MR. OLSEN: As to what part it does play in the parts we do have jurisdiction on, I guess. Having just one piece of the puzzle doesn't help. So, as I have heard it -- I'd like to hear from the others -- certainly, my main topic is, of course, the fish. We are always talking about fish and game, but we have no authority or jurisdiction on any fish at the time. I don't see any resolution -- how can we have a resolution if we have no authority?

MR. CHRISTENSEN: I'm talking about seagull eggs. Last spring there was two women up in Anchorage that got busted for gathering seagull eggs up in Anchorage. Of course, they are going to get busted in downtown rural Anchorage. I guess they're picking them up right there where planes fly, but that happened the same day I came home with about four dozen eggs myself. I was almost going to put them back after I heard that they were almost put in jail. I thought we were allowed to do that. I didn't know -- Craig Mishler led me to believe that seagull egg gathering was part of our rightful heritage, and so I know that's a big issue in my community.

MR. OLSEN: So, I would gather, then, that maybe seagull eggs would come under C & T more than subsistence. But C & T at this time has still not been fully addressed. So, here again, it

goes on the back burner for C & T. I don't know. Since seagulls are migratory birds.

MR. KNAUER: Leave C & T out. The use of seagull eggs and that is not part of the C & T question, okay? It is part of your concern, and about the breakdown of your use of resources and all the various little boxes, okay? C & T, as it is in this program, relates to who, what, and where and generally right now land mammals.

MR. OLSEN: I see that only because it has not been addressed. You're a subsistence user, are you?

MR. KNAUER: I have a culture and tradition of use. Under this federal law, I don't qualify.

MR. OLSEN: I'm just trying to point my question here, that I'm certain as to certain species that you utilize --

MR. KNAUER: Right.

MR. OLSEN: -- there's one that you don't. That doesn't mean somebody else doesn't. I say I'm not a seagull egg eater, but I do gather them for those that are enriched by the past tradition of eating seagull eggs.

MR. KNAUER: Right. What I'm saying is don't confuse it with the C & T issue that's on your agenda later.

MR. OLSEN: You're saying it's not a C & T issue even though I don't think there's any newcomers --

DR. MASON: I think Bill is talking about something totally different. Using seagulls eggs is customary and traditional, that's what you're talking about.

MR. KNAUER: It's a customary and traditional practice. It's not a part of the customary and traditional use process.

DR. MASON: Two different things.

MR. OLSEN: That wasn't clear to me.

MR. KNAUER: I'm sorry.

MR. CRATTY: Why isn't it, though? I mean, it's not what you just said.

MR. OLSEN: Processes. He's talking the process, not of the actual --

DR. MASON: He's talking about the decisions that you can -- talking about things that you're dealing with. But what you're saying is that it is a custom and it is a tradition to use them, and that, I think, is unchallenged.

MR. KNAUER: Nobody disagrees with that.

MR. STOVALL: I've written that down as an issue.

MR. CHRISTENSEN: I'd like to pose a question, Mr. Chair. Is the only reason why it's illegal to take seagull eggs is because they are a migratory bird? They're international migratory birds? Is that the reason why it's illegal to gather their eggs?

MR. KNAUER: Yes. The Migratory Bird Treaty Act --

MR. CHRISTENSEN: I understand that.

MR. KNAUER: -- doesn't provide for the taking of eggs or the spring take.

MR. CHRISTENSEN: Let me pose another question. What would be the hurdle to get over that? Because you're going to find seagull egg gathering throughout all of Alaska and -- well, throughout all Canada, throughout -- there's a lot of people that are going to do it, and they're not going to stop doing it. How do you get over that hurdle?

MR. KNAUER: That little brochure that we passed out

describes that, in fact, there are groups that are working to change that treaty right now. That's the first step, get the wording in that treaty changed. That's an international treaty, so there's a lot of process there. So, they do recognize it, and they are working towards --

MR. OLSEN: Well, you say that, then I can only assume that it is known, so, therefore, it is a practice. Where it is not legal, you know it's practiced but not prosecuted --

MR. CHRISTENSEN: It's prosecuted. They did up in Anchorage.

MR. CRATTY: They done it down in Alitak, the Coast Guard.

MR. CHRISTENSEN: They've stopped them down there.

MR. CRATTY: It's illegal to have them on board. These are natives they were taken from.

MR. CHRISTENSEN: I know it scared me when I was taking them. Like I say, I felt like putting them back. How are you going to put them back, you know. We ate them as fast as we could.

MR. OLSEN: I guess we're still on the annual report and who to focus on. So, that certainly is a topic all its own.

MR. STOVALL: I wrote it down.

MR. OLSEN: What other issues would be pertinent? I guess our other proposals are already on the table, so, that could be used for the annual report.

MR. CRATTY: Like Rick was saying, this goes back to Bill again. That hunting issue, we can't do nothing about it. We mentioned about it for the older people on ducks, seabirds.

MR. OLSEN: Ducks, seabirds. Don't you have --

MR. CRATTY: Designated hunter.

MR. CHRISTENSEN: Mr. Chair, I thought we already utilized that as a migratory bird. We can't do anything about it.

MR. CRATTY: Same thing as seagull eggs.

MR. OLSEN: It's a concern. It's a concern.

MR. CHRISTENSEN: It's pretty much out of our hands --

MR. STOVALL: You can still list it as an issue and concern.

MR. CHRISTENSEN: As an issue.

MR. OLSEN: I thought the native people were allowed to harvest some migratory birds.

MR. CHRISTENSEN: Not under federal law. They're considered international, aren't they?

MR. OLSEN: There's a provision someplace in there. Can anybody help me?

MR. KNAUER: You're mixing some issues here. The issue Al brought up was that of a designated hunter-type issue for migratory birds.

MR. CRATTY: Yeah, that Rick mentioned this morning. I wanted to show it in our report as a concern.

MR. KNAUER: What I understand you're saying is there's something different than that.

MR. CHRISTENSEN: I brought that concern up there earlier today, and then I understood that since it's a migratory bird under international law, that it was kind of out of our hands.

MR. KNAUER: You're correct, but that does not mean that you couldn't indicate that as a concern in your annual report.

MR. CHRISTENSEN: As an issue.

MR. KNAUER: It would not be appropriate to have proposals relating to it. It would certainly be appropriate to highlight it as a concern.

MR. CHRISTENSEN: I'd like to get it highlighted then.

MR. OLSEN: I guess -- help me. I know, and it's known that at these hunting or subsistence camps, they take lots of birds, lots of eggs. I don't know what -- how they do it without prosecution. I know that they're -- I'm not from the area. I don't know how it's accomplished, but it is done without prosecution.

MR. KNAUER: There has been a significant cooperative effort with the natives on the Yukon/Kuskokwim Delta, between them and the federal government to reduce the amount of eggs taken, especially for the four species of nesting geese, Arctic nesting geese, and as a result, they're seeing the population build on most of those tremendously. And as a result, either seasons have been opened or harvest limits have been increased. So, by the cooperative effort of the local people and the Fish and Wildlife Service, they're seeing benefit to all concerned out there.

MR. OLSEN: So we do have a commercial hunting on most of the species?

MR. KNAUER: Not a commercial hunt --

MR. OLSEN: Not commercial, sport.

MR. KNAUER: There is a hunt on most of the species, and the local users out there are benefiting.

MR. OLSEN: I guess there is a hunting season, I guess, established. So, it's not like it is, quote, illegal.

MR. KNAUER: That's correct.

MR. SEIKANIEC: Mr. Chairman, the enforcement approach from my understanding has been taken from the standing of biological reasoning. If the population has been shown to be in trouble or in low numbers and in need of some additional protection, they have looked at those particular species on which to concentrate an enforcement effort of no take during spring and summertime, and those populations that are in biological standing, say, good healthy numbers, they have taken less of an important enforcement approach to allow some of that take to exist -- to take place, actually. That was my understanding of it. An example I can think of would be right now the emperor goose, the populations are below what you view as a sustainable take level. They are concentrating some efforts on the take of emperor, be it eggs or geese at a minimum.

MR. OLSEN: Hunting was a form of that -- if I'm not wrong, President Clinton was informed of that.

MR. SEIKANIEC: Of the emperor?

MR. OLSEN: No, in his ducks.

Was there anything else? Other concerns?

MR. LUKIN: I've got one, Mark. It has to be the elk hunt on Afognak Island. I always felt like there should be -- subsistence should be priority, you know, on the elk. We should have a certain percent that would belong to the subsistence. Those are my feelings, and it's a concern. I think I will always have that concern.

MR. OLSEN: Certainly, it is one of the items that has been redundant -- I shouldn't say that word. It has been expressed and proposed, and it is on these items. Maybe addressed more to, I think, the C & T, not subsistence.

MR. KNAUER: That's one of the things that you're

going to deal with in your past C & T proposals. There were proposals related to elk. Either late this afternoon or tomorrow morning you're going to look at those proposals and see if, in fact, you think it's a valid issue that should be dealt with as a proposal issue. That is something that is going to be coming up later on your agenda.

MR. CRATTY: So, with this letter that we're going to address -- like he's mentioning the elk. Old Harbor we're concerned about the bear. That's something you want to address or hear about in the C & T?

MR. STOVALL: I would say, you should be brainstorming all your issues and concerns. If you feel that's an issue and concern.

MR. CRATTY: I feel it's an issue and concern. One or two bear a year. I don't see where it's going to hurt anything.

MR. STOVALL: You want subsistence bear hunting?

MR. OLSEN: I believe that has been a past proposal.

MR. CRATTY: I'm saying do you want to propose this to them?

MR. OLSEN: Absolutely.

MR. STOVALL: Let's get every issue and concern here.

Then we'll work with the next phase, which is the agenda. So, whatever you want to brainstorm out, anything, let me know, I'm writing it down.

MR. OLSEN: Just for review, then, I guess, some of our -- we have -- elk, bear, eggs, birds.

DR. MASON: Fish.

MR. OLSEN: Fish.

MR. KNAUER: Then you had marine mammals mentioned this morning.

MR. STOVALL: Marine mammals.

MR. EVERITT: Under fish, did we talk about the jurisdiction? We're talking federal property. I'd like to increase it more that as the court cases are going along about who's in charge of certain areas, I would like to see us have more area so it would include more of our fish instead of just in one or two little spots.

We can have some say about our subsistence fishing in our area.

MR. OLSEN: Do we also have to put your concern here as to the caribou situation?

A SPEAKER: Yep.

MR. CRATTY: The fish, is that just salmon we're speaking of? Are we talking cod, halibut, black bass?

MR. EVERITT: I would think all fish species within the subsistence use of people.

MR. OLSEN: Fish.

MR. STOVALL: Now, we're talking all marine fisheries -- marine fish and fin fish?

MR. EVERITT: Yes.

MR. OLSEN: Fish is fish; oil is oil.

Any other thing that should be put on our list for review?

I guess, hearing none, there's a good start as to what our annual report should encompass. Have you any other additional recommendations?

MR. STOVALL: Could you give me a better issue and concern for marine mammals? What was the issue and concern there?

MR. OLSEN: I believe -- go ahead, Al.

MR. CRATTY: The sea lions and the seals.

MR. STOVALL: What about sea lions and seals?

MR. CRATTY: Where I come from there isn't as many as there used to be. I think the effect of --

MR. OLSEN: The decline -- directly responsible for subsistence use. It is coming between -- from threatened to endangered, and that certainly affects --

MR. CHRISTENSEN: A lot of those commercial fishermen too. If we get them too endangered, they're going to cut down on commercial fishermen. So, they're cutting their own throats. You better be careful what you're doing there.

MR. CRATTY: I don't think the commercial salmon fisherman is hurting the sea lion.

MR. CHRISTENSEN: You see where we're going with this?

MR. OLSEN: In the same respect, we have to deal with workers too.

MR. CHRISTENSEN: We can't hurt our livelihood too.

MR. CRATTY: We're talking subsistence issues.

MR. CHRISTENSEN: Both you and I are on the KFC board, you know, for commercial. You're a commercial fisherman, so am I, so is he. Well, he works with the commercial.

MR. CRATTY: We brought that issue up at the Old Harbor meeting last year. You can see all the people that were there that are commercial fishermen that were concerned about it.

MR. CHRISTENSEN: They're endangered, they're going to kill the commercial fisherman.

MR. CRATTY: You know who's endangering them.

MR. CHRISTENSEN: It's not us.

MR. OLSEN: Here again, it's addressed as an issue at this point, and I think it should get --

MR. CHRISTENSEN: This is getting emotional here.

MR. OLSEN: It's beyond that, if we don't address it, somebody else will, and we won't like it.

MR. CHRISTENSEN: That is true. I'll agree with it.

MR. OLSEN: We must face the issue.

MR. CRATTY: I think it's coming to us pretty fast, Randy, whether we like it or not as commercial fisherman. It's being looked at. So, you got to voice your opinion on it. You've got to say what's happening to them. I don't think it's the seiners that are dealing with it.

MR. CHRISTENSEN: The seiners are going to suffer.

MR. STOVALL: I would suggest that we try and keep it -- our issues and concerns at least for the time being dealing with the subsistence issues and anything that's related to those particular issues. Commercial interests of fishermen probably are being dealt with in a different forum.

MR. CHRISTENSEN: That's true. See the thing, Robert, some of us are wearing a lot of different hats here, you know. We're wearing sports hats, subsistence hats, and also commercial hats, you know.

MR. OLSEN: One size fits all.

MR. STOVALL: Right. Just to keep --

MR. CHRISTENSEN: Isn't that right, Ivan?

MR. CRATTY: You're right.

MR. OLSEN: Ignoring it is not going to resolve it.

MR. CHRISTENSEN: I'm not ignoring it. We want to keep it subsistence at this point -- I can't live on subsistence alone, you know.

MR. OLSEN: I agree with you. I can't either.

At any rate, I guess, do I hear anymore concerns for -- should be added to our annual report? I think this should be revisited. I think that's a good start that will be looked at.

MR. LUKIN: Getting back to -- I think what Randy is trying to -- what I think Randy's trying to say is he's looking out for the future of his, you know -- he's looking down the road here a few years. This could open up a bad can of worms as far as the sea lion are concerned that -- the salmon fishing industry and whatever else. So, my feelings are that needs to be addressed here. At least it's on paper.

MR. CRATTY: What did the National Marine Fisheries tell us? It is a big concern, and there is going to be something done about it whether we like it or not, as a commercial fisherman. That's what they told us at the meeting, Randy, in Old Harbor last year. It's a big issue. We're going to feel it. The West Coast is going to feel it.

MR. OLSEN: At this time, I'd kind of like to propose the issue, not the issue itself, but where it's leading to. It's getting off into a big debate that I don't think is a part of the subject we are trying to cover at this time. We are trying to focus on the annual report. I'm sorry, but we have to differentiate what we're going to achieve. I don't know. I think that's kind of a lot to digest for today. I'm leaving a little bit for tomorrow. As I look at this, especially development of regulations, hopefully we have a new proposal coming, hopefully, from this gentleman here in King Cove. I would hope that you would be here to visit us when we talk about a proposal forum and review.

A SPEAKER: Tomorrow?

MR. OLSEN: Yes. I think at this time that --

A SPEAKER: I'll try and be here.

MR. OLSEN: These are the kind of things that I would hope that we'd have more questions from the people here. I'm not saying -- what kind of feedback -- I think we can carry on tomorrow and get all the rest of this done in a real timely manner.

MR. CHRISTENSEN: We'll be here until 5:00 o'clock.

MR. STOVALL: Depending on how quickly we get done. I have tried to change the flight back to Kodiak from Saturday morning to 3:30 tomorrow. So, if -- I guess if we're not done with our business by 3:00 o'clock tomorrow, then so be it, I guess we'll stay longer, but I did -- I took that liberty to make that change. So --

MR. CHRISTENSEN: Mr. Chair, I move that we start our meeting at 8:00 instead of 9:00 just to help by at least one hour.

MR. CRATTY: Mr. Chair, you think we'll be done by 3:00 tomorrow?

MR. OLSEN: We've covered over 20-some issues here today. And we have half of that tomorrow. A lot of them are development regulations and other business. Basically, we have established time and place, we have a public comment. I don't know what's going to happen.

MR. KNAUER: You've got one more thing here that might be able to be taken up today that would be maybe fairly quick, and that's just a little thing on the regional council recruitment. That

would be one more thing off of your agenda, if you could -- it's item C there.

MR. STOVALL: Item C. New business.

MR. OLSEN: You can cover it in a short period of time. It would be one thing that you could check off.

MR. OLSEN: Absolutely. Absolutely. I've got you.

Mr. Stovall, if you would like to announce where we're at.

MR. STOVALL: In the front of your booklet, you'll find the names of all the members and the next page will be in the roll call area. It's just past 2. The seats that are up are and they're to be filled for next year. Those seats include Al Cratty, Thomas Everitt, and Vincent Tutiakoff. The reason why your seat is up is because you're taking the place of someone who was relieved of the duty.

MR. OLSEN: I believe that was a letter of resignation.

MR. CHRISTENSEN: David Eluska. And those members who want to have to reapply, the process begins, application will begin being taken -- the process will begin again on 12/1/95, December 1st, 1995, when applications will begin to be taken for new memberships.

MR. CHRISTENSEN: Mr. Chair --

MR. STOVALL: December 1st, 1995.

MR. OLSEN: Okay. Thank you. Certainly, Randy.

MR. CHRISTENSEN: Mr. Chair, not that I -- not that I don't like these characters on the council, but I am just kind of curious, I remember Jeff Peterson and also Freddy Christensen going after the seat, and I was just kind of curious after we left Old Harbor how Al got on it. Not that I don't want him on. I'm just curious --

MR. OLSEN: They put in applications and the Secretary appointed them.

MR. CHRISTENSEN: Just like that.

MR. STOVALL: Essentially, Jeff Peterson and Freddy Christensen did not put in an application. They decided not to.

MR. CHRISTENSEN: They spoke loudly, but they didn't do anything?

MR. STOVALL: Right.

MR. CHRISTENSEN: Same thing with -- okay. That answers my question. Thank you.

MR. OLSEN: They're not just appointed without any paperwork.

MR. KNAUER: An individual does have to apply to be considered.

MR. OLSEN: Even though you are an incumbent, you must reapply.

MR. STOVALL: Yes, yes.

MR. KNAUER: Right. One of the things this council has mentioned is they would like two seats to represent this area. Although the effort is to provide widespread geographic representation, a particular seat is not bound to a particular area or particular community. One of the reasons that there were so many people from Kodiak Island on initially is we received no applications from some of these other areas. And we experienced that up in the North Slope. There are nine communities on the North Slope, and there happened to be -- on the first council, there were like four

seats that were represented by people from Barrow, and one community had two individuals on the council -- like I said, here again, it is a regional council that just happened to be where they were living. One other community, two other communities each had one person. That was because essentially all of the applications came from Barrow. So, you know, ideally you would have people spaced out, but you don't always get the applications despite the effort of council members to advertise it, to advertise it at your public meetings, we go through a very large process of mailing out information to regional corporations, village corporations, putting notices in local papers, public service announcements on the radio, and I think because of the effort we've made, we've gotten some -- we've got real high-quality people on the councils. But not every council has got the geographic distribution that would be best for the region.

MR. OLSEN: I think it was taken with good graces as to what the intent was. And that, itself, I think, disciplines concern.

Is there anything else at the meeting that we would like to add, Robert, to this issue?

MR. STOVALL: The new form hasn't been developed yet, is that correct, for application?

MR. KNAUER: Right. The application form will be available at your next meeting, and the coordinator will be providing forms to all of you so that you can pass out to other people and also so that those of you who are incumbents in those seats where the term is expiring -- where the term will be expiring.

MR. OLSEN: That brings a concern to me. If the next meeting is in November, which it probably will be in Anchorage, it would start on 12/1, the application process. It certainly squeezes a lot of people that might be participating in other --

MR. KNAUER: The application period itself will run from December 1st to February 29th. So, there's about three months there when the application period is open.

MR. STOVALL: The next meeting will be in February. That is to be decided at the end of this meeting.

MR. OLSEN: Okay. The next board meeting is in November.

MR. KNAUER: The next board meeting.

MR. OLSEN: Which is the concern that he had will be brought out.

A SPEAKER: The applications to be on this board will be sent out by you?

MR. KNAUER: Our office will be sending them out. If there's any question, in some of the literature back there, there's a 1-800 number. 1-800-478-1456. You can call us about that, and anytime you have any other questions about subsistence you can call us at that number. That's toll-free.

MR. OLSEN: Could he not put in a formal request to have some applications mailed to him?

MR. KNAUER: He could do that, indicate on the sign-in sheet that he's interested in having sign-in sheets. Make sure your name is printed so the folks in Anchorage can read what the name on the sheet is. We can send some applications out here also.

MR. OLSEN: I seen another hand here.

MR. LUKIN: I was going to bring up, there was some talk this morning about alternate members being for a couple that

couldn't make it from this area here.

A SPEAKER: Great idea for this area. There's only one really representing our area around here.

MR. OLSEN: Back to our concerns on the annual report.

MR. KNAUER: The board will be talking about that when they talk about represent -- overall representation.

MR. OLSEN: Well, at this time, I would like to call a recess until 8:00 a.m. tomorrow morning.

(Whereupon the hearing was
adjourned at 4:50 p.m.)

I, Sandra M. Mierop, a Registered Professional Reporter, certify that the facts stated in the caption hereto are true; that the subsistence council hearing was taken down in shorthand by me, later reduced to typewriting under my direction as a true and correct record of the proceedings

I further certify that I am neither attorney or counsel for, nor related to or employed by, any of the parties in which this hearing is taken and, further, that I am not a relative or employee of any person employed by the parties hereto, or financially interested in the action.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 13th day of October, 1995.

Notary Public in and for
the State of Texas